

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934

VOLUME 12 NUMBER 205

Washington, Saturday, October 18, 1947

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit)

[1947 C. C. C. Cotton Form 1]

PART 256—COTTON LOANS

1947 COTTON LOAN INSTRUCTIONS

Pursuant to the 1947 Cotton Loan Program of Commodity Credit Corporation, loans on eligible upland cotton and American-Egyptian cotton will be made available to eligible producers. Such loans may be obtained either directly from Commodity Credit Corporation or from lending agencies. These instructions state the requirements with reference to such loans.

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AUTHORITY: §§ 256.141 to 256.155, inclusive, issued under sec. 7 (a), 49 Stat. 4, as amended, sec. 302, 52 Stat. 43, as amended, sec. 4 (a), 55 Stat. 493, as amended, sec. 8, 56 Stat. 767, as amended; 15 U. S. C. and Sup. 713 (a), 713a-8, 7 U. S. C. 1302, 50 U. S. C. App. Sup. 968; paragraph (b), Article Third, Charter of Commodity Credit Corporation.

§ 256.141 *Definitions.* As used in §§ 256.141 to 256.155, inclusive, unless the context otherwise requires, the following terms will be construed respectively to mean:

(a) *Eligible producer.* An "eligible producer" shall be any person (individual, partnership, firm, corporation, association, joint-stock company, trust, estate, or other legal entity, or a State or political subdivision thereof, or an agency of such State or political subdivision) producing cotton in 1947 in the capacity of landowner, landlord, tenant, or sharecropper. Except as provided below, two or more producers may not obtain a joint

loan. If the eligible cotton produced on a farm has been divided among the producers entitled to share in such cotton, each landlord, tenant, and sharecropper may obtain a loan on his separate share. If the cotton has not been divided, the landlord and one or more of the share tenants or sharecroppers may obtain a joint loan on their shares of such cotton. In no case shall a share tenant or sharecropper obtain a loan individually on cotton in which a landlord has an interest. In any case where a landlord obtains a loan on cotton in which a share tenant or sharecropper has an interest, he must have the legal right to do so, and the share tenant or sharecropper must be paid his pro rata share of the proceeds.

(b) *Eligible cotton.* "Eligible cotton" shall be cotton produced in the United States in 1947 which meets the following requirements:

(1) Such cotton must be of a grade and staple length specified in tables 1 and 2 appearing at the end of §§ 256.141 to 256.155, inclusive.

(2) Such cotton must be represented by warehouse receipts complying with the provisions of § 256.147.

(3) Such cotton must not be compressed to high density.

(4) Such cotton must be free and clear of all liens and encumbrances, except those in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in the 1947 Cotton Producers' Note and Loan Agreement (1947 C. C. C. Cotton Form A) (hereinafter referred to as "Form A")

(5) Such cotton must have been produced by the person tendering it for a loan, and he must have the legal right to pledge it as security for a loan.

(6) If the person tendering such cotton for a loan is a landlord or landowner, the cotton must not have been acquired by him directly or indirectly from a share tenant or sharecropper and must not have been received in payment of fixed or standing rent; and if it was produced by him in the capacity of landlord, share tenant, or sharecropper, it must be his separate share of the crop, unless he is a landlord and is tendering cotton in which both he and a share tenant or a sharecropper have an interest.

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The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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(7) The person tendering such cotton for a loan must not have previously executed and delivered, with respect to such cotton, a Form A or 1947 C. C. Cotton Form G-2 and must not have previously sold and repurchased such cotton.

(8) Each bale of such cotton must weigh at least 300 pounds.

(9) American-Egyptian cotton shall be of normal character. No such cotton shall be accepted for loan with respect to which official classification indicates any reduction in grade or staple length because of irregularities or defects.

(c) *Lending agency.* A "lending agency" shall be any bank, corporation, partnership, association, or person who has executed a Lending Agency Agreement (C. C. C. Cotton Form D) (in any State other than California or Arizona) or a Cotton Lending Agency Agreement (C. C. C. Cotton Form DW) (in California or Arizona) covering loans on 1947 crop cotton.

(d) *Eligible paper.* "Eligible paper" shall be a Form A duly executed subsequent to July 31, 1947, and prior to May 1, 1948. State documentary revenue stamps should be affixed thereto where required by law. (A Form A executed by an administrator, executor, or trustee will be acceptable only where valid in law and must be submitted for a direct loan in accordance with § 256.150, unless accompanied by a repurchase agreement of the lending agency. Copies of this agreement may be obtained from the New Orleans Office, Commodity Credit Corporation, Production and Marketing Administration, New Orleans 12, La. (hereinafter referred to as the New Orleans Office).)

§ 256.142 *Forms.* The following documents must be delivered in connection with every loan:

(a) Form A.

(b) Warehouse receipts complying with the provisions of § 256.147.

(c) Producer's Letter of Transmittal (C. C. C. Cotton Form B) if direct loan is obtained from Commodity Credit Corporation.

(d) Lending Agency's Letter of Transmittal (C. C. C. Cotton Form C) if loan is obtained from Lending Agency in any State other than California or Arizona.

Each Form A and Form B representing American-Egyptian cotton must have the words "American-Egyptian cotton" conspicuously stamped or typed at the top of each such form.

§ 256.143 *Amount.*—(a) *Upland cotton.* Loans will be made only on those grades and staple lengths shown in table 1 appearing at the end of these instructions, and will be made on the gross weight of the cotton. An allowance of 7 pounds per bale will be made for bales covered with cotton bagging. The base loan rate applicable at each approved warehouse will be shown in the "Schedule of Base Loan Rates by Cities and Counties for Cotton Entering the 1947 Loan" in the Instructions to Warehousemen. This schedule will be issued by Commodity Credit Corporation and will be available at the office of the county agricultural conservation association committee (hereinafter called "county committee"). Loans on cotton will be made at the base loan rates shown in the schedule, adjusted by the appropriate premium or discount for the grade and staple length of cotton, as shown in table 1 appearing at the end of §§ 256.141 to 256.155, inclusive.

(b) *American - Egyptian cotton.* Loans will be made at rates shown in table 2 appearing at the end of §§ 256.141 to 256.155, inclusive.

§ 256.144 *Classification of cotton.* All cotton must be classified by a Board of Cotton Examiners of the U. S. Department of Agriculture. Warehousemen

should forward samples to the Board of Cotton Examiners serving the district in which the warehouse is located, and a list showing the class of the cotton will be returned by the Board. Instructions have been issued to approved warehouses concerning sampling and forwarding of samples and recording the class of the cotton in the loan agreements. A Form 1 Classification Memorandum of the U. S. Department of Agriculture will also be accepted as evidence of the class of cotton, provided the sample is a representative cut sample drawn in accordance with instructions to organized groups for sampling cotton under the 1947 Smith-Doxey Program.

A charge of 20 cents per bale shall be collected from the producer for all cotton from which samples are submitted to a Board of Cotton Examiners for classification, except that no charge shall be collected for samples submitted for Form 1 classification. Each Board of Cotton Examiners will make collections for classing charges from the warehousemen at the end of each month. A certified check, cashier's check, or postal money order payable to Treasurer of United States in care of Commodity Credit Corporation must be sent to the Board of Cotton Examiners by each warehouseman in payment of these charges.

§ 256.145 *Preparation of documents.* A producer desiring to obtain a loan may obtain the necessary forms from approved cotton warehouses and also from persons approved by the county committees in the cotton-producing areas to assist producers in preparing and executing the loan forms. The Clerk's certificate must be executed on each Form A tendered for a loan. Only persons approved by county committees for such purpose may execute the Clerk's certificate. Such persons are permitted to collect a fee from producers not to exceed the fees shown in the following schedule:

Number of bales on the note	Maximum fee allowed
1-6.....	25 cents.
7-8.....	30 cents.
9-10.....	35 cents.
11-20.....	35 cents plus 2 cents for each bale over 10.
21 and over....	55 cents plus 1 cent for each bale over 20.

All blanks must be filled in with ink, indelible pencil, or typewriter in the manner indicated therein, and no documents containing additions, alterations, or erasures will be accepted by Commodity Credit Corporation. The original copy of Form A must be signed by the producer, and the copy marked "duplicate" is to be retained by the producer and must be used when the loan is repaid or his equity sold. The Schedule of Pledged Cotton must represent cotton of only one grade and staple length.

§ 256.146 *Approved warehouses.* Warehouse receipts representing eligible cotton will be accepted as security for loans made pursuant to Form A only if issued by warehousemen approved by Commodity Credit Corporation. Warehousemen desiring to be approved should communicate with the New Orleans Office. When warehouses are approved, notification will be given either by letter

or published lists. All cotton pledged as security for any one loan must be in the same warehouse.

The warehouseman is required, as provided in the Warehouseman's Certificate and Storage Agreement in Form A, to draw representative samples from the bales and to deliver or forward such samples to a board of cotton examiners for classing, except where Form 1 Classification Memorandum of the U. S. Department of Agriculture is used.

§ 256.147 *Warehouse receipts.* Only negotiable warehouse receipts issued by an approved warehouse, dated on or prior to the date of the producer's note, and properly assigned by an endorsement in blank so as to vest title in the holder or issued to bearer will be acceptable. They must set out in their written or printed terms a description by tag number and weight of the bale represented thereby and all other facts and statements required to be stated in the written or printed terms of a warehouse receipt under the provisions of section 2 of the Uniform Warehouse Receipts Act. Warehouse receipts issued prior to August 1, 1947, which by their terms will expire prior to August 1, 1948, must bear an endorsement of the warehouse extending the terms of the warehouse receipt for a period of 1 year from August 1, 1947. Block warehouse receipts will not be accepted.

§ 256.148 *Warehouse charges.* The warehouseman's charges are limited and his obligations defined by the Warehouseman's Certificate and Storage Agreement contained in Form A. This should be read carefully and must be executed by the warehouseman issuing the cotton warehouse receipts pledged as collateral to the producer's note. It must not be executed more than 10 days preceding the date of the note.

§ 256.149 *Liens.* Eligible cotton must be free and clear of all liens except those in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in Form A. The names of the holders of all existing liens on cotton tendered as security for a loan, such as landlords, laborers, or mortgages (but not the warehouseman) must be listed in the List of Lienholders on each Form A and the lienholders so listed must execute the Lienholders' Waiver on such forms. A Form A will not be acceptable unless all prior lienholders are listed in the List of Lienholders and have executed the Lienholders' Waiver. If the producer tendering the cotton for the loan is not the owner of the land on which the cotton was produced, all landowners and landlords must be listed in the List of Lienholders on the Form A and must sign the Lienholders' Waiver on such form, whether or not they claim liens, unless they sign the note jointly with the borrower. A misrepresentation, as to prior liens or otherwise, will render the producer personally liable under the terms of the Loan Agreement and subject him to criminal prosecution under

the provisions of section 35 (A) of the Criminal Code of the United States (18 U. S. C. 80). The Lienholders' Waiver must be signed personally by all lienholders listed, by their agents (in which case duly executed powers of attorney must be attached) or, if a corporation, by the designated officer thereof customarily authorized to execute such instruments (in which case no authority need be attached).

§ 256.150 *Direct loans.* It is contemplated that producers will ordinarily obtain loans from a local bank or other lending agency which, in turn, may sell the paper evidencing such loans to Commodity Credit Corporation. Arrangements, however, have been made for making direct loans to producers prior to May 1, 1948. In each such case the note must be made payable to Commodity Credit Corporation and must be tendered to the New Orleans Office, on a Producer's Letter of Transmittal (C. C. C. Cotton Form B) in duplicate, postmarked not later than April 30, 1948, if tendered by mail. Upon receipt of all necessary documents, properly executed, and upon approval, payment will be made in accordance with the directions of the producer contained in the Form A, which permits the producer, if he so desires, to designate persons other than himself to receive all or part of the proceeds of the loan.

§ 256.151 *Time and manner of tendering loans.* (Applicable in all States other than California and Arizona.) Loans made by a lending agency which has executed and delivered a Lending Agency Agreement (C. C. C. Cotton Form D) to the New Orleans Office, prior to the making of the loan will be eligible for purchase or pooling by Commodity Credit Corporation. C. C. C. Cotton Forms D are obtainable only from the New Orleans Office. Under the terms of this agreement, lending agencies which are parties thereto are required to tender to Commodity Credit Corporation, on Lending Agency's Letter of Transmittal (C. C. C. Cotton Form C) executed in triplicate, all notes on Form A, with warehouse receipts attached, representing loans made by the lending agency within 15 days after the dates of the notes. Forty notes shall be submitted on each Lending Agency's Letter of Transmittal except when fewer notes are listed thereon in order that the loans may be tendered within 15 days after the dates the loans are made and the notes are executed. The Lending Agency's Letter of Transmittal shall state whether the lending agency desires Commodity Credit Corporation to purchase the notes or to place them in a pool operated by the Corporation. Upon receipt by the New Orleans Office, the loan papers will be examined and, if found correct, will be approved, transmitted to the custodial office serving the district in which the cotton is stored and purchased or placed in a pool, as directed by the lending agency. In the event that the notes are pooled, a Certificate of Interest representing the interest in the pool acquired

as the result of the deposit therein of the notes shown on the letter of transmittal will be issued to any approved lending agency designated by the lending agency tendering the notes.

(Applicable in California and Arizona.) Notes (1947 C. C. C. Cotton Form A) evidencing loans made by a lending agency which has entered into a Cotton Lending Agency Agreement with Commodity Credit Corporation prior to the making of the loans will be eligible for purchase by Commodity Credit Corporation. Organizations desiring to enter into such agreements should communicate with the New Orleans office, Commodity Credit Corporation. Under the terms of this agreement, lending agencies which are parties thereto will retain the notes and collateral warehouse receipts until (a) the loans are repaid, (b) the lending agencies voluntarily tender the documents to Commodity Credit Corporation for purchase, or (c) the documents are tendered for purchase upon maturity of the notes (unless otherwise specified by Commodity Credit Corporation) or upon request by Commodity Credit Corporation. Loan documents shall be tendered by lending agencies on the forms prescribed by Commodity Credit Corporation. Upon receipt by the New Orleans office, the loan documents will be examined and, if found acceptable, will be purchased.

§ 256.152 *Lending agency.* The lending agency shall execute the Payee's Certificate and Endorsement on Form A. Care should be exercised by the lending agency to determine that the warehouse receipts are genuine. No provision is made for any deduction from the loan proceeds by the lending agency as a charge for handling the loan documents, except the authorized clerk's fee in case the lending agency has executed the Clerk's Certificate on Form A.

§ 256.153 *Custodial offices.* The custodial offices referred to herein and the district served by each are shown below:

Location and District Served

Federal Reserve Bank, Atlanta, Ga.. Georgia, Alabama, Florida, Virginia, North Carolina, South Carolina.

Federal Reserve Bank, Dallas, Tex.. Texas, New Mexico.

Federal Reserve Bank, Memphis, Tenn.. Illinois, Arkansas, Missouri, Tennessee, and the following counties in Mississippi: Alcorn, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Coahoma, De Soto, Grenada, Holmes, Humphreys, Itawamba, Lafayette, Lee, Leflore, Lowndes, Marshall, Monroe, Montgomery, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Quitman, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Washington, Webster, Winston, Yalobusha.

The Lending Agency which made the loan or, if purchased by Commodity Credit Corporation, the New Orleans Office, Commodity Credit Corporation: California, Arizona,

New Orleans Office (C. C. C.) Louisiana and counties in Mississippi not assigned to Memphis.

Federal Reserve Bank, Oklahoma City, Okla.. Oklahoma.

§ 256.154 *Repayments.* (Applicable in all States other than California and

Arizona) No partial releases of the cotton securing a note will be permitted. If a producer desires to obtain the return of the note and the release of the collateral, he should execute the Producer's Request for Return of Cotton Producer's Note and Loan Agreement on his duplicate copy of the Form A or Cotton Producers' Equity Transfer Agreement (CCC Cotton Form AA) (hereinafter referred to as "Form AA") and send it to Commodity Credit Corporation, care of the custodial office serving the district in which the cotton is stored, as shown in § 256.153. The notes and warehouse receipts will then be forwarded to an approved bank for release to said producer only and no other person, upon payment of the amount of the loan, the accrued interest and proper charges. Do not send requests for the return of notes and the release of collateral to the New Orleans Office, except where the cotton is stored in the district served by that office as custodian, as this causes delay in making the release. If the producer desires to sell his equity in the loan cotton, he must complete the Producer's Equity Transfer on his copy of Form A or Form AA. Upon receipt of the Producers Equity Transfer, the note and warehouse receipts will be forwarded to any approved bank designated by the person requesting the release of the cotton with direction to release such note and warehouse receipts upon payment of the amount of the loan, the accrued interest, and proper charges. In all such cases, the bank will be instructed to return the notes and warehouse receipts to the custodial office if payment is not effected within 15 days. All charges and expenses of the bank to which the notes

and warehouse receipts are sent shall be paid by the person requesting the release of the cotton. In the event the producer's duplicate copy of the Form A is destroyed or lost, the producer may obtain from the custodial office serving the district in which the cotton is stored a Form AA covering the cotton listed on the destroyed or lost note. The Producer's Equity Transfer on Form A or Form AA must in all cases be dated and signed by a witness approved for such purpose by a county committee in the cotton-producing area.

(Applicable in California and Arizona) No partial releases of the cotton securing a note will be permitted. If the producer desires to obtain the return of the note and the release of the collateral, he should execute the Producer's Request for Return of Cotton Producer's Note and Loan Agreement on his duplicate copy of the Form A or on the Cotton Producer's Equity Transfer Agreement (C. C. C. Cotton Form AA) (hereinafter referred to as "Form AA") and send or deliver it to the lending agency which made the loan. If the producer desires to sell his equity in the loan cotton, he must complete the Producer's Equity Transfer on his copy of the Form A or Form AA and deliver it to the equity purchaser and the equity purchaser must complete the equity transfer. The Producer's Equity Transfer must in all cases be dated and signed by a witness approved for such purpose by a county committee in the cotton producer's area. Upon receipt of the Producer's Request for Return of Cotton Producer's Note and Loan Agreement or the Producer's Equity Transfer and payment of the

amount of the loan, accrued interest and proper charges, the Lending Agency shall release the note and warehouse receipts only to the producer or holder of the equity transfer. If the note has been purchased by Commodity Credit Corporation, the Form A or Form AA will be forwarded by the lending agency to the New Orleans Office, Commodity Credit Corporation, which will forward the note and warehouse receipts to any approved bank designated by the person requesting their release, with directions to the bank to release the note and warehouse receipts only to the producer or holder of the equity transfer upon payment of the amount due on the loan. In all such cases the bank will be instructed to return the note and warehouse receipts to the New Orleans office if payment is not effected within 15 days. All charges and expenses of the bank to which the note and warehouse receipts are sent should be paid by the person requesting the release of the cotton. In the event the producer's duplicate copy of the Form A is destroyed or lost, the producer may obtain from the Lending Agency which made the loan a Form AA covering the cotton listed on the destroyed or lost note.

§ 256.155 *Cotton cooperative association loans.* A special form of loan agreement will be made available to cotton cooperative marketing associations whereby members of such associations may act collectively in obtaining loans.

Dated this 14th day of October 1947.

[SEAL] JESSE B. GILMER,
President,
Commodity Credit Corporation.

TABLE 1—PREMIUMS AND DISCOUNTS FOR ALL QUALITIES OF 1947 AMERICAN UPLAND COTTON
[Basis $1\frac{1}{16}$ inch Middling]

Grade	Staple length (inches)														
	$1\frac{1}{16}$	$\frac{3}{8}$	$2\frac{1}{2}$	$1\frac{1}{8}$	$1\frac{1}{2}$	1	$1\frac{1}{2}$	$1\frac{1}{8}$	$1\frac{1}{2}$	$1\frac{1}{8}$	$1\frac{1}{2}$	$1\frac{1}{8}$	$1\frac{1}{2}$	$1\frac{1}{8}$	$1\frac{1}{2}$ & Longer
WHITE AND EXTRA WHITE															
Good Middling and Better	Pts. -220	Pts. -95	Pts. -15	Pts. 55	Pts. 65	Pts. 60	Pts. 65	Pts. 125	Pts. 100	Pts. 215	Pts. 325	Pts. 435	Pts. 545	Pts. 655	Pts. 765
Strict Middling	-235	-105	-25	40	50	65	80	110	135	150	370	610	850	1090	1330
Middling	-360	-145	-70	Base	15	25	40	70	75	125	220	305	385	465	545
St. Low Middling	-445	-225	-210	-130	-115	-105	-95	-85	-75	20	85	275	325	375	425
Low Middling	-780	-645	-575	-500	-485	-475	-460	-445	-430	-415	-400	-385	-370	-355	-340
St. Good Ordinary	-1,100	-1,025	-970	-905	-895	-885	-875	-865	-855	-845	-835	-825	-815	-805	-795
Good Ordinary	-1,375	-1,220	-1,110	-1,075	-1,075	-1,070	-1,070	-1,065	-1,045	-1,045	-1,045	-1,045	-1,045	-1,045	-1,045
SPOTTED															
Good Middling	-370	-220	-175	-90	-85	-70	-75	-20	-25	60	160	260	365	470	575
Strict Middling	-390	-245	-195	-115	-105	-95	-80	-25	-40	45	170	270	375	480	585
Middling	-570	-425	-370	-280	-275	-265	-250	-235	-220	-175	-125	-75	20	70	120
St. Low Middling	-835	-745	-700	-630	-620	-615	-615	-615	-615	-615	-615	-615	-615	-615	-615
Low Middling	-1,240	-1,105	-1,030	-975	-975	-960	-960	-955	-940	-910	-910	-910	-910	-910	-910
TINGED															
Good Middling	-780	-630	-590	-565	-565	-565	-565	-565	-565	-565	-565	-565	-565	-565	-565
Strict Middling	-810	-655	-615	-595	-595	-595	-595	-595	-595	-595	-595	-595	-595	-595	-595
Middling	-1,040	-890	-835	-785	-785	-785	-785	-785	-785	-785	-785	-785	-785	-785	-785
St. Low Middling	-1,235	-1,130	-1,075	-1,010	-1,010	-1,010	-1,010	-1,010	-1,010	-1,010	-1,010	-1,010	-1,010	-1,010	-1,010
Low Middling	-1,445	-1,315	-1,230	-1,200	-1,200	-1,195	-1,195	-1,195	-1,195	-1,195	-1,195	-1,195	-1,195	-1,195	-1,195
YELLOW STAINED															
Good Middling	-1,075	-925	-880	-825	-825	-815	-815	-805	-795	-785	-775	-765	-755	-745	-735
Strict Middling	-1,100	-950	-905	-850	-850	-840	-840	-830	-820	-810	-800	-790	-780	-770	-760
Middling	-1,220	-1,070	-1,025	-970	-970	-965	-965	-960	-950	-940	-930	-920	-910	-900	-890
GRAY															
Good Middling	-455	-345	-310	-225	-225	-215	-215	-175	-125	Even	50	125	175	225	275
Strict Middling	-530	-410	-375	-290	-290	-275	-275	-215	-165	-40	30	85	135	185	235
Middling	-635	-520	-475	-400	-400	-390	-390	-330	-280	-250	-225	-210	-185	-165	-145

RULES AND REGULATIONS

TABLE 2—LOAN RATES FOR 1947 CROP AMERICAN EGYPTIAN COTTON
[Rates expressed in cents per pound, net weight]

Grade	Staple length (inches)							
	1 $\frac{3}{8}$		1 $\frac{7}{8}$		1 $\frac{1}{2}$		1 $\frac{3}{4}$ and longer	
	California and Arizona	New Mexico and Texas	California and Arizona	New Mexico and Texas	California and Arizona	New Mexico and Texas	California and Arizona	New Mexico and Texas
1.....	52.30	52.55	55.70	55.95	58.65	58.90	58.65	58.90
1 $\frac{1}{2}$	51.30	51.55	54.70	54.95	57.70	57.95	57.70	57.95
2.....	49.75	50.00	53.15	53.40	56.60	56.85	56.60	56.85
2 $\frac{1}{2}$	47.90	48.15	49.45	49.70	52.50	52.75	52.50	52.75
3.....	44.15	44.40	45.75	46.00	47.80	48.15	47.80	48.15
3 $\frac{1}{2}$	38.70	38.95	40.95	41.20	43.80	44.05	43.80	44.05
4.....	33.85	34.10	37.15	37.40	40.30	40.55	40.30	40.55
4 $\frac{1}{2}$	29.25	29.50	32.60	32.85	36.15	36.40	36.15	36.40
5.....	26.80	27.05	29.80	30.05	33.05	33.30	33.05	33.30

[F. R. Doc. 47-9364; Filed, Oct. 17, 1947; 8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Lemon Reg. 244]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.351 *Lemon Regulation 244*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 53 (7 CFR, Cum. Supp., 953.1 et seq.) regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and the 30-day effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., October 19, 1947, and ending at 12:01 a. m., P. s. t., October 26, 1947, is hereby fixed at 225 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation

243 (12 F. R. 6712) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads" and "prorate base" shall have the same meaning as is given to each such term in the said marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 16th day of October 1947.

[SEAL] C. F. KUNKEL,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 47-9407; Filed, Oct. 17, 1947; 8:48 a. m.]

[Orange Reg. 200]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.346 *Orange Regulation 200*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and the 30-day effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., October 19, 1947, and ending at 12:01 a. m., P. s. t., October 26, 1947, is hereby fixed as follows:

(i) *Valencia oranges.* (a) Prorate District No. 1, unlimited movement; (b) Prorate District No. 2, 1700 carloads; and (c) Prorate District No. 3, unlimited movement.

(ii) *Oranges other than Valencia oranges.* (a) Prorate Districts Nos. 1, 2, and 3, no movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Orange Administrative Committee, in accordance with the provisions of the said order, shall calculate the quantity of oranges which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 16th day of October 1947.

[SEAL] C. F. KUNKEL,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. October 19, 1947, to 12:01 a. m. October 26, 1947]

VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total.....	100.0000
A. F. G. Alta Loma.....	.0000
A. F. G. Fullerton.....	1.0783
A. F. G. Orange.....	6649
A. F. G. Redlands.....	.2488

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
A. F. G. Riverside	0.1802
A. F. G. San Juan Capistrano	.9616
A. F. G. Santa Paula	.4029
Corona Plantation Co.	.2587
Hazeltine Packing Co.	.4608
Placentia Pioneer Valencia Growers Association	.7055
Signal Fruit Association	.0839
Azusa Citrus Association	.4611
Azusa Orange Co., Inc.	.1430
Damerel-Allison Co.	.9050
Glendora Mutual Orange Association	.3999
Irwindale Citrus Association	.3079
Puente Mutual Citrus Association	.2203
Valencia Heights Orchards Association	.4703
Glendora Citrus Association	.3493
Glendora Heights Orange and Lemon Growers Association	.0631
Gold Buckle Association	.6240
La Verne Orange Association	.4776
Anaheim Citrus Fruit Association	1.4835
Anaheim Valencia Orange Association	1.5374
Eadlington Fruit Company, Inc.	1.9009
Fullerton Mutual Orange Association	1.4610
La Habra Citrus Association	1.0885
Orange County Valencia Association	.7055
Orangethorpe Citrus Association	1.1995
Placentia Coop. Orange Association	.7961
Yorba Linda Citrus Association, The	.6518
Alta Loma Heights Citrus Association	.0889
Citrus Fruit Growers	.1065
Cucamonga Citrus Association	.0714
Etiwanda Citrus Fruit Association	.0000
Old Baldy Citrus Association	.1305
Rialto Heights Orange Growers	.1016
Upland Citrus Association	.2956
Upland Heights Orange Association	.1559
Consolidated Orange Growers	2.1123
Frances Citrus Association	.6417
Garden Grove Citrus Association	1.7358
Goldenwest Citrus Association, The	1.5478
Irvine Valencia Growers	2.5635
Olive Heights Citrus Association	1.8458
Santa Ana-Tustin Mutual Citrus Association	.8415
Santiago Orange Growers Association	4.1369
Tustin Hills Citrus Association	1.6777
Villa Park Orchards Association, The	1.9817
Andrews, Bros., Inc.	.5086
Bradford Bros., Inc.	.7077
Placentia Mutual Orange Association	1.8370
Placentia Orange Growers Association	2.6546
Call Ranch	.0751
Corona Citrus Association	.4778
Jameson Co.	.0491
Orange Heights Orange Association	.2991
Break & Son, Allen	.0592
Bryn Mawr Fruit Growers Association	.2768
Crafton Orange Growers Association	.4101
E. Highlands Citrus Association	.0899
Fontana Citrus Association	.0956
Highland Fruit Growers Association	.0000
Krinar Packing Co.	.2850
Mission Citrus Association	.1442
Redlands Coop. Fruit Association	.4255
Redlands Heights Groves	.3213
Redlands Orange Growers Association	.2733

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Redlands Orangedale Association	0.2309
Redlands Select Groves	.1636
Rialto Citrus Association	.1676
Rialto Orange Co.	.1670
Southern Citrus Association	.2227
United Citrus Growers	.1513
Zilen Citrus Co.	.0552
Andrews Bros. of California	.1369
Arlington Heights Fruit Co.	.1728
Brown Estate, L. V. W.	.1627
Gavilan Citrus Association	.1165
Hemet Mutual Groves	.1630
Highgrove Fruit Association	.0753
McDermont Fruit Co.	.1478
Mentene Heights Association	.0760
Monte Vista Citrus Association	.2110
National Orange Co.	.6960
Riverside Heights Orange Growers Association	.0371
Sierra Vista Packing Association	.0556
Victoria Avenue Citrus Association	.1638
Claremont Citrus Association	.1464
College Heights Orange and Lemon Association	.2165
El Camino Citrus Association	.0662
Indian Hill Citrus Association	.1637
Pomona Fruit Growers Association	.3711
Walnut Fruit Growers Association	.4539
West Ontario Citrus Association	.3778
El Cajon Valley Citrus Association	.0000
Escondido Orange Association	2.5241
San Dimas Orange Growers Association	.5233
Covina Citrus Association	1.1133
Covina Orange Growers Association	.4679
Duarte-Monrovia Fruit Exchange	.0000
Santa Barbara Orange Association	.0000
Ball & Tweedy Association	.6780
Canoga Citrus Association	.8235
N. Whittier Heights Citrus Association	.6324
San Fernando Fruit Growers Association	.4335
San Fernando Heights Orange Association	.6346
Sierra Madre-Lamanda Citrus Association	.3726
Camarillo Citrus Association	1.5483
Fillmore Citrus Association	2.3390
Mupu Citrus Association	2.6112
Ojai Orange Association	.9248
Piru Citrus Association	2.0493
Santa Paula Orange Association	.7537
Tapo Citrus Association	.7066
Limoneira Co.	.4112
E. Whittier Citrus Association	.4178
El Ranchito Citrus Association	1.6367
Murphy Ranch Co.	.4472
Rivera Citrus Association	.6672
Whittier Citrus Association	.8254
Whittier Select Citrus Association	.3530
Anaheim Cooperative Orange Association	1.4325
Bryn Mawr Mutual Orange Association	.1163
Chula Vista Mutual Lemon Association	.0350
Escondido Cooperative Citrus Association	.3459
Euclid Avenue Orange Association	.4383
Foothill Citrus Union, Inc.	.0344
Fullerton Coop. Orange Association	.5977
Garden Grove Orange Coop. Inc.	.8633
Glendora Coop. Citrus Association	.0599
Golden Orange Groves, Inc.	.3170
Highland Mutual Groves	.0051
Index Mutual Groves	.2100
La Verne Coop. Citrus Association	1.4727
Olive Hillside Groves	.7094
Orange Coop. Citrus Association	1.1920
Redlands Foothill Groves	.5229
Redlands Mutual Orange Association	.1349

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Riverside Citrus Association	0.0000
Ventura County Orange and Lemon Association	.9403
Whittier Mutual Orange and Lemon Association	.1625
Babljucose Corp. of California	.6239
Banks Fruit Co.	.2653
Banks, L. M.	.5112
Borden Fruit Co.	1.6143
California Fruit Distributors	.3337
Cherokee Citrus Co., Inc.	.1372
Chess Company, Meyer W.	.2816
Escondido Avocado Growers	.0452
Evans Brothers Packing Co.	.2213
Furr, N. C.	.0154
Gold Banner Association	.3935
Granada Hills Packing Co.	.0251
Granada Packing House	2.4459
Hill, Fred A.	.6314
Inland Fruit Dealers	.0770
Mills, Edward	.0620
Orange Belt Fruit Distributors	2.2319
Panno Fruit Company, Carlo	.6330
Paramount Citrus Association	.2202
Placentia Orchards Co.	.5365
San Antonio Orchards Co.	.4759
Santa Fe Groves Co.	.0525
Snyder & Sons Co., W. A.	.6323
Stephens, T. F.	.0383
Sunny Hills Ranch, Inc.	.0483
Ventura County Citrus Association	.6627
Verity & Sons Co., R. H.	.0373
Wall, E. T.	.1856
Webb Packing Co.	.1532
Western Fruit Growers, Inc., Reds.	.6355
Yorba Orange Growers Association	.5437

[P. R. Dec. 47-9403; Filed, Oct. 17, 1947; 8:49 a. m.]

TITLE 10—ARMY

Chapter V—Military Reservations and National Cemeteries

PART 501—LIST OF EXECUTIVE ORDERS, PROCLAMATIONS, AND PUBLIC LAND ORDERS AFFECTING MILITARY RESERVATIONS

REVOCATION OF WITHDRAWAL OF PUBLIC LANDS FOR WAR DEPARTMENT USE AS CAMP SITE AND TRAINING AREA

CROSS REFERENCE: For order affecting the tabulation contained in § 501.1, see Public Land Order 416 under Title 43, *infra*, revoking Public Land Order 196 of December 8, 1943, which withdrew certain public lands in Arizona for use of the War Department as a camp site and training area.

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amdt. 9]

PART 550—FEDERAL AID TO PUBLIC AGENCIES FOR DEVELOPMENT OF PUBLIC AIRPORTS

PERFORMANCE OF CONSTRUCTION WORK

Acting pursuant to the authority vested in me by the Federal Airport Act (60 Stat. 170), I hereby amend Part 550 of the regulations of the Administrator of Civil Aeronautics as follows:

RULES AND REGULATIONS

1. By amending § 550.18 (c) (5) to read as follows:

§ 550.18 *Performance of construction work.* * * *

(c) *Construction reports.* * * *

(5) *Payroll reports.* The sponsor shall require each contractor and subcontractor engaged in the work at the site of the project, or the sponsor shall be required, on a force account project, to submit to the District Airport Engineer, not later than the 7th day after payment of wages, a certified legible copy of each weekly payroll. Each payroll of a contractor and subcontractor shall be sworn to in accordance with the regulations applicable to contractors and subcontractors engaged in the construction, prosecution, completion, or repair of any public building or public work or building or work financed in whole or in part by loans or grants from the United States (29 C. F. R., 3.3 (b)) issued pursuant to the Copeland Act, Public Law 324, 73d Congress, approved June 13, 1934 (48 Stat. 948; 40 U. S. C. 276c) See Form ACA-1645.1, Weekly Payroll Affidavit (Appendix M-1) The use of Form ACA-1645, Weekly Payroll Report (Appendix M) is optional on the part of contractors, subcontractors or sponsors.

2. And by adding a new appendix thereto, numbered Appendix M-1, to read as follows:

APPENDIX M-1

Form approved Budget Bureau No. 41-R1032
Form ACA-1645.1

DEPARTMENT OF COMMERCE

CIVIL AERONAUTICS ADMINISTRATION

Weekly pay roll affidavit No. _____
Contractor _____
Project name _____
Employer's name _____
Project location _____
Contract No. _____ Sub-contract No. _____
Project No. _____
Payroll of week ending _____
Number of pages of payroll _____

Affidavit

State of _____
County of _____, ss:

I, _____
(Name of party signing affidavit) (Title)
being duly sworn, do depose and say: That I pay or supervise the payment of the persons employed by _____

(Contractor or subcontractor)

on the _____, that the attached
(Building or work)

pay roll sets out accurately and completely the name, occupation, and hourly wage rate of each person so employed for the weekly pay roll period from the _____ day of _____, 194____, to the _____ day of _____, 194____, the total number of hours worked by him during such period, the full weekly wages earned by him and any deductions made from such weekly wages, and the actual weekly wages paid to him; that no rebates have been or will be made either directly or indirectly to or on behalf of said _____ from the full (Contractor or subcontractor) weekly wages earned as set out on the attached pay roll; and that no deductions, other than the permissible deductions (as defined in the regulations under the "Kick-back" Act (48 Stat. 948)), described in the following paragraph of this affidavit, have been made or will be made, either directly

or indirectly, from the full weekly wages as set out on the attached pay roll.

Insert in this space paragraph describing deductions, if any. If deductions are permissible describe nature and total amount; if other than permissible describe fully.

Sworn to before me this _____ day of _____, 194____.

(Signature) _____

(Title) _____

Notary Public

Deductions. For the conditions and standards under which permissible pay-roll deductions may be made, reference should be made to the current regulations promulgated from time to time by the Secretary of Labor and published in the FEDERAL REGISTER. A general revision of the regulations is contained in the Federal Register, Docket 42-993, filed February 3, 1942.

The following certificate to be executed by the duly authorized representative of the Sponsor in the case of projects developed under the Grant Agreement.

Certificate

I, _____, certify that the pay roll referred to herein has been examined by me and/or my authorized assistants and found to be true and correct; that evidence has been furnished by the employer substantiating payment of the amount due each employee except as indicated above on the statement of unclaimed wages; and that all requirements as set forth in the Grant Agreement have been fulfilled; and that the total amount deducted from employees for the purchase of U. S. Savings Bonds has been deposited in a bank insured by the Federal Deposit Insurance Corporation.

(Date)

(Name)

(Title)

Penalties

Title 18, U. S. Code, Section 80 (Criminal Code, Section 35 (A)), as amended, provides: "Whoever shall make or cause to be made or present or cause to be presented, for payment or approval, to or by any person or officer in the civil, military, or naval service of the United States, or any department thereof, or any corporation in which the United States of America is a stockholder, any claim upon or against the Government of the United States, or any department or officer thereof, or any corporation in which the United States of America is a stockholder, knowing such claim to be false, fictitious, or fraudulent; or whoever shall knowingly and willfully falsify or conceal or cover up by any trick, scheme, or device a material fact, or make or cause to be made any false or fraudulent statements of representations, or make or use or cause to be made or used any false bill, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition, knowing the same to contain any fraudulent or fictitious statement or entry in any matter within the jurisdiction of any department or agency of the United States or of any corporation in which the United States of America is a stockholder, shall be fined not more than \$10,000, or imprisoned not more than 10 years, or both."

Title 40, U. S. Code, Section 2766 (48 Stat. 948) (Anti-Kick-Back Statute), provides: "Whoever shall induce any person employed in the construction, prosecution, or completion of any public building, public work, or building or work financed in whole or in part by loans or grants from the United States, or in the repair thereof to give up any part of the compensation to which he is entitled under his contract of employment, by force,

intimidation, threat of procuring dismissal from such employment, or by any other manner whatsoever, shall be fined not more than \$5,000, or imprisoned not more than 5 years, or both."

(60 Stat. 170)

This amendment shall become effective upon publication in the FEDERAL REGISTER.

[SEAL]

T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 47-9384; Filed, Oct. 17, 1947;
8:52 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5164]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

KETCHIKAN PACKING CO. ET AL.

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* I. In connection with the sale of sea-food products or other merchandise in commerce, and on the part of respondent Ketchikan Packing Company, its officers, etc., paying or granting, directly or indirectly, to Wm. H. Stanley, Inc., or to any other buyer, anything of value as brokerage, or any commission, compensation, allowance, or discount in lieu thereof, upon purchases made for such buyer's own account; and, II, in connection with the purchase of sea-food products or other merchandise in commerce, and on the part of respondent Wm. H. Stanley, Inc., and its officers, etc., receiving or accepting from Ketchikan Packing Company, or from any other seller, directly or indirectly, anything of value as brokerage, or any commission, compensation, allowance, or discount in lieu thereof, upon purchases made for its own account; prohibited. (Sec. 2c, 49 Stat. 1527; 15 U. S. C., sec. 13c) [Cease and desist order, Ketchikan Packing Company et al., Docket 5164, September 3, 1947]

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 3d day of September A. D. 1947.

In the Matter of Ketchikan Packing Company, a Corporation, and Wm. H. Stanley, Inc. (Named in the Complaint as William H. Stanley, Inc.), a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, the report of the trial examiner upon the evidence and the exceptions to such report, briefs in support of and in opposition to the complaint, and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of subsection (c) of section 2 of the act of Congress entitled "An act to supple-

ment existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (the Clayton Act) as amended by the Robinson-Patman Act, approved June 19, 1936 (15 U. S. C., sec. 13)

It is ordered, That the respondent Ketchikan Packing Company, a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the sale of sea-food products or other merchandise in commerce, as "commerce" is defined in the aforesaid Clayton Act, as amended, do forthwith cease and desist from: Paying or granting, directly or indirectly, to Wm. H. Stanley, Inc., or to any other buyer, anything of value as brokerage, or any commission, compensation, allowance, or discount in lieu thereof, upon purchases made for such buyer's own account.

It is further ordered, That the respondent Wm. H. Stanley, Inc., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the purchase of sea-food products or other merchandise in commerce, as "commerce" is defined in the Clayton Act, as amended, do forthwith cease and desist from: Receiving or accepting from Ketchikan Packing Company, or from any other seller, directly or indirectly, anything of value as brokerage, or any commission, compensation, allowance, or discount in lieu thereof, upon purchases made for its own account.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 47-9362; Filed, Oct. 17, 1947;
8:48 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 320—DETERMINATIONS BY REGIONAL OFFICES UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT AND APPEALS FROM SUCH DETERMINATIONS

Sec.	
320.1	Statutory provisions.
320.5	Initial determinations with respect to claims.
320.8	Notice of initial determination.
320.10	Informal complaint with regard to initial determination.
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320.15	Execution and filing of appeal from initial determination.
320.18	Referees.
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320.30	Decision of referee.
320.32	Effect of decision of referee.
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Sec.	
320.38	Application for permission to appeal to Board from decision of referee.
320.40	Procedure upon filing application for permission to appeal to Board.
320.42	Decision of Board.
320.45	Judicial review.
320.48	Representatives of parties.
320.50	Regional office.

AUTHORITY: §§ 320.1 to 320.50, inclusive, issued under the authority of, and interpret and apply, secs. 5, 12, 62 Stat. 1699, 1707, ccc. 16, 63 Stat. 848, cccs. 18, 20, 23, 24, 64 Stat. 1098, 1099, cccs. 311-316, 319-323, Pub. Law 572, 79th Cong., 60 Stat. 722.

§ 320.1 Statutory provisions.

Claims for benefits and appeals from determinations with respect thereto shall be made in accordance with such regulations as the Board shall prescribe (section 5 (a) of the act).

The Board is authorized and directed to make findings of fact with respect to any claim for benefits and to make decisions as to the right of any claimant to benefits. The Board is further authorized to hold such hearings, to conduct such investigations and other proceedings, and to establish, by regulations or otherwise, such procedures as it may deem necessary or proper for the determination of a right to benefits (section 5 (b) of the act).

Each qualified employee whose claim for benefits has been denied in whole or in part upon an initial determination with respect thereto upon a basis other than one which is reviewable pursuant to one of the succeeding paragraphs of this subsection, shall be granted an opportunity for a fair hearing thereon before a referee or such other reviewing body as the Board may establish or assign thereto (section 5 (c) of the act).

The Board shall prescribe regulations governing the filing of cases with and the decision of cases by reviewing bodies, and the review of such decisions. The Board may provide for intermediate reviews of such decisions by such bodies as the Board may establish or assign thereto. The Board may (1) on its own motion review a decision of an intermediate reviewing body on the basis of the evidence previously submitted in such case, and may direct the taking of additional evidence, or (2) permit such parties as it finds properly interested in the proceedings to take appeals to the Board. Unless a review or an appeal is had pursuant to this subsection, the decision of an intermediate reviewing body shall, subject to such regulations as the Board may prescribe, be deemed to be the final decision of the Board (section 5 (d) of the act).

In any proceeding other than a court proceeding, the rules of evidence prevailing in courts of law or equity shall not be controlling, but a full and complete record shall be kept of all proceedings and testimony, and the Board's final determination, together with its findings of fact and conclusions of law in connection therewith, shall be communicated to the parties within fifteen days after the date of such final determination (section 5 (e) of the act).

Any claimant, or any railway labor organization organized in accordance with the provisions of the Railway Labor Act, of which claimant is a member, or any other party aggrieved by a final decision under subsection (c) of this section, may, only after all administrative remedies within the Board will have been availed of and exhausted, obtain a review of any final decision of the Board by filing a petition for review within ninety days after the mailing of notice of such decision to the claimant or other party, or within such further time as the Board may allow, in the United States circuit court of appeals for the circuit in which the claimant or other party resides or

will have had his principal place of business or principal executive office, or in the United States Circuit Court of Appeals for the Seventh Circuit or in the Court of Appeals for the District of Columbia (section 5 (f) of the act).

§ 320.5 Initial determinations with respect to claims. Except as provided in Part 319 of this chapter, each claim for benefits under the act shall be adjudicated and the initial determination with respect thereto shall be made by a regional office of the Board upon the basis of the application and claim, and any statement or supplements filed in connection therewith, the evidence submitted by the claimant, and evidence otherwise available. Claims shall be adjudicated, and initial determinations shall be made, in accordance with instructions issued by the Bureau of Employment and Claims. That part of the benefits claimed which is initially determined to be payable may be paid prior to a final decision with regard to such claim.

§ 320.8 Notice of initial determination. Notice of an initial determination which denies in whole or in part a claim for benefits shall contain a brief statement of the grounds for the denial and shall be communicated in writing by the regional office to the claimant within fifteen days after such initial determination is made. Such notice shall be deemed to have been communicated to the claimant when it will have been mailed to him at the latest address furnished by him.

§ 320.10 Informal complaint with regard to initial determination. In the event that the claimant, without filing an appeal in the manner and within the time provided in § 320.15, makes informal complaint with regard to an initial determination, the regional office shall review the case and shall take any further action which may be required.

§ 320.12 Appeal from initial determination. Each qualified claimant whose claim for benefits has been denied in whole or in part upon an initial determination with respect thereto, other than an initial determination which is within the purview of Part 319 of this chapter, may appeal from such determination. An appeal shall be made by the claimant's filing, in the manner and within the time hereinafter specified, an appeal from initial determination on the form provided by the Board. Unless an appeal from initial determination is filed by the claimant in the manner and within the time provided in § 320.15, all rights to further review of the initial determination shall be forfeited.

§ 320.15 Execution and filing of appeal from initial determination—(a) Execution. An appeal from initial determination shall be filed on the form provided by the Board and shall be executed in accordance with the instructions on the form.

(b) Filing. An appeal from initial determination shall be considered to have been filed when it will have been received in an office of the Board. Such appeal shall be filed within (1) ninety days from the date of publication of this

part or (2) one year from the date on which notice of an initial determination is communicated to the claimant.

§ 320.18 *Referees.* Within a reasonable time after a properly executed appeal has been filed, the Director of Employment and Claims shall appoint a referee to hear and decide the appeal. Such referee shall not have any interest in the parties or in the outcome of the proceeding; shall not have directly participated in the initial determination from which the appeal is made, and shall not have any other interest in the matter which might prevent a fair and impartial hearing.

§ 320.20 *Powers of referee.* In the development of an appeal, the referee shall have the power to hold hearings, require and compel the attendance of witnesses, administer oaths, take testimony, and make all necessary investigations.

§ 320.22 *Notice of hearing.* Upon the scheduling of a hearing on an appeal, written notice of the hearing, specifying the place and time thereof, shall be given to the properly interested parties at least seven days before the date of the hearing, unless such notice is waived by the parties. Such notice may be mailed to the parties at the latest addresses furnished by them.

§ 320.25 *Hearing of appeal—(a) Manner of conducting hearing.* The hearing shall be informal, fair, and impartial, and shall be conducted in such manner as to ascertain the substantial rights of the parties.

(b) *Compilation of evidence.* Any properly interested party, or his duly authorized representative, shall be afforded full opportunity to present further evidence upon any controversial question of fact, orally or in writing, or by means of exhibits; to examine and cross-examine witnesses, and to present argument. If, in the judgment of the referee, evidence not offered is available and relevant, and is material to the merits of the appeal, the referee shall obtain such evidence upon his own initiative. The referee shall protect the record against scandal, impertinence and irrelevancies, but the technical rules of evidence shall not apply.

§ 320.28 *Development of record.* All oral evidence presented at any hearing shall be reduced to writing. All evidence presented by any party or by his duly authorized representative, and all evidence developed by the referee, shall be preserved. Such evidence, together with a record of the arguments, oral or written, and the file previously made in the adjudication of the claim, shall constitute the record for decision by the referee. After an appeal from an initial determination is filed, the compilation of the record shall be initiated by the inclusion therein of the file made in the adjudication of the claim; the compilation of the record shall be kept up to date by the prompt addition thereto of all parts of the record subsequently developed. The entire record at any time during the pendency of an appeal shall be available for examination by any properly inter-

ested party or by his duly authorized representative.

§ 320.30 *Decision of referee.* The referee shall render his decision in the case as soon as practicable after the completion of the record. Such decision shall be in writing and shall contain a brief statement of (a) the issue or issues raised, (b) the evidence submitted, (c) the determination made, and (d) the reasons therefor. Within fifteen days after such decision is rendered, it shall be mailed to the parties at the latest addresses furnished by them.

§ 320.32 *Effect of decision of referee.* The decision of the referee, subject to review as hereinafter provided, shall be binding upon the regional office which made the determination from which the appeal was taken:

(a) With respect to such initial determination, and

(b) With respect to other initial determinations by such regional office, irrespective of whether they have been appealed, which (1) denied in whole or in part claims made by the same claimant in the same benefit year and (2) were based on the same issue or issues determined in the decision of the referee.

§ 320.35 *Review of decision of referee.* The Board may:

(a) On its own motion, review the decision of the referee on the basis of the evidence previously submitted in the case, and may designate any employee of the Board to take additional evidence and to report his findings to the Board; or

(b) Permit such parties as it finds properly interested in the proceedings to take appeals to the Board.

§ 320.38 *Application for permission to appeal to Board from decision of referee.* An application for permission to appeal to the Board from a decision of a referee shall be filed on the form provided by the Board and shall be executed in accordance with the instructions on the form. Such application shall be filed within ninety days from the date upon which notice of the decision of the referee was mailed to the parties.

§ 320.40 *Procedure upon filing application for permission to appeal to Board.* The Board may grant or deny an application for permission to appeal to the Board, filed under § 320.38. Notice of the Board's decision with respect to an application for permission to appeal to the Board shall be communicated to the properly interested parties within fifteen days from the date such decision is made. If the application for permission to appeal to the Board has been denied, the notice communicated to the parties shall include notice that the decision of the referee is the final decision of the Board. If permission to appeal to the Board is granted, the parties shall not have the right to submit additional evidence, except that (a) the Board may permit the submission of additional evidence upon a showing by any properly interested party that he has additional evidence to present which, for valid reasons, he was unable to present at an

earlier stage; (b) the Board may request the submission of additional evidence; and (c) the Board may designate any employee of the Board to take additional evidence, and to report his findings to the Board. Any such additional evidence shall be submitted in such manner as the Board may indicate and shall be included in the record.

§ 320.42 *Decision of Board.* The decision of the Board or an appeal to the Board shall be made upon the basis of the record established in accordance with § 320.28. Notice of such decision, together with the Board's findings of fact and conclusions of law in connection therewith, shall, within fifteen days from the date on which the decision is made, be mailed to the parties at the latest addresses furnished by them. Except as hereinafter provided, the decision of the Board shall be final and conclusive for all purposes:

(a) With respect to the initial determination involved, and

(b) With respect to other initial determinations by the regional office, irrespective of whether they have been appealed, which (1) denied in whole or in part claims made by the same claimant in the same benefit year and (2) were based on the same issue or issues determined in the decision of the Board.

§ 320.45 *Judicial review.* Upon being notified of a decision of the Board made (a) upon review, on the Board's own motion, of a decision of a referee, or (b) by denying an application for permission to appeal to the Board, thereby constituting the decision of the referee the decision of the Board, or (c) upon an appeal to the Board, the party may obtain judicial review of such final decision, by filing a petition for review within ninety days after the date on which notice of such decision was mailed to him, or within such further time as the Board may allow, in the United States circuit court of appeals for the circuit in which the party resides or will have had his principal place of business or principal executive office, or in the United States Circuit Court of Appeals for the Seventh Circuit or in the Court of Appeals for the District of Columbia.

§ 320.48 *Representatives of parties.* In the event a party to any proceeding within the Board, under the preceding regulations in this part, desires to be represented by another person, he shall file with the Board prior to the time of such representation a power of attorney signed and sworn to by him and naming such other person as the person authorized to represent him: *Provided, however,* That without requiring such power of attorney the Board may recognize as the duly authorized representative of the claimant the person designated by the claimant's railway labor organization to act in behalf of members of that organization on such matters whenever such representative acts or appears for such claimant.

§ 320.50 *Regional office.* As used in this part the term "regional office" means any subordinate unit of the Board which may be authorized to make initial determinations with regard to applica-

tions and claims for benefits under the act.

Dated: October 9, 1947.

By authority of the Board.

[SEAL] MARY B. LINKINS,
Secretary of the Board.

[F. R. Doc. 47-9345; Filed, Oct. 17, 1947;
8:46 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 500—ORGANIZATION

DELEGATION OF AUTHORITY

CROSS REFERENCE: For appointment of Isabel Ferguson, Veri E. Roberts and Harry Weiss to act as authorized representatives and to grant or deny applications for, and to cancel special certificates for employment of apprentices and learners (similar to delegations of authority carried in § 500.3) see Department of Labor, Wage and Hour Division, in Notices section, *infra*.

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service, Department of Agriculture

PART 201—NATIONAL FORESTS

KISATCHIE NATIONAL FOREST; TRANSFER OF JURISDICTION

CROSS REFERENCE: For transfer of lands from Federal Farm Mortgage Corporation to Forest Service, see Surplus Property Transfer Order No. 8 under Federal Farm Mortgage Corporation in Notices section, *infra*.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circ. 1658]

PART 185—GENERAL MINING REGULATIONS

APPLICATION FOR PATENT

Section 185.54 (43 CFR 185.54) is amended by adding thereto the following paragraph:

§ 185.54 *Application for patent.* * * * Every application for patent, based on a mining claim located after August 1, 1946, shall state whether the claimant has or has not had any direct or indirect part in the development of the atomic bomb project. The application must set forth in detail the exact nature of the claimant's participation in the project, and must also state whether as a result of such participation he acquired any confidential, official information as to the existence of deposits of uranium, thorium, or other fissionable source materials in the lands covered by his application. (R. S. 453, 2478; 43 U. S. C. 2, 1201)

CROSS REFERENCE: For definition of fissionable source materials, see Atomic En-

ergy Commission's regulation, 11 CFR 40.2 (12 F. R. 1855, March 20, 1947)

FRED W. JOHNSON,
Director.

Approved: October 13, 1947.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.
[F. R. Doc. 47-9354; Filed, Oct. 17, 1947;
8:47 a. m.]

Appendix—Public Land Orders

[Public Land Order 416]

SOUTH DAKOTA

REVOKING EXECUTIVE ORDERS NOS. 1452 AND 2522 OF JANUARY 2, 1912, AND JANUARY 30, 1917

By virtue of the authority vested in the President by section 1 of the act of June 25, 1915, c. 421, 36 Stat. 947 (43 U. S. C. 141) and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 1452 of January 2, 1912, and Executive Order No. 2522 of January 30, 1917 withdrawing the following-described public lands in South Dakota for use of the Forest Service of the Department of Agriculture as the Drew Administrative Site in connection with the administration of the Harney National Forest, are hereby revoked:

BLACK HILLS MEMORIAL

T. 5 S., R. 1 E.,
Sec. 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.

The area described contains 197.15 acres.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on December 12, 1947. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from December 12, 1947, to March 11, 1948, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from November 22, 1947, to December 11, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on December 12, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on March 12, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from February 21, 1948, to March 11, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on March 12, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Pierre, South Dakota, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Pierre, South Dakota.

The character of the land is rolling to hilly broken by short deep gullies which expose outcroppings of limestone. Over most of the gently rolling part the limestone formation is near the surface and is exposed in eroded areas. Small patches of tillable land are found scattered over the tract. The soil is a shallow loam with much rock. On tillable patches good mixed grasses occur. Otherwise, the vegetation consists of scattered small scrub pine of no commercial value.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

OCTOBER 10, 1947.

[F. R. Doc. 47-9352; Filed, Oct. 17, 1947;
8:47 a. m.]

Appendix—Public Land Orders

[Public Land Order 416]

ARIZONA

REVOKING PUBLIC LAND ORDER NO. 196 OF DECEMBER 8, 1943, WITHDRAWING PUBLIC LANDS FOR USE OF WAR DEPARTMENT AS A CAMP SITE AND TRAINING AREA

By virtue of the authority vested in the President and pursuant to Executive

Order No. 9337 of April 24, 1943 (8 F. R. 5516), it is ordered as follows:

Public Land Order No. 196 of December 8, 1943, withdrawing public lands for use of the War Department as a camp site and training area, is hereby revoked.

The Jurisdiction over and use of such lands granted to the War Department by Public Land Order No. 196 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on December 15, 1947. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from December 15, 1947, to March 15, 1948, inclusive, the public lands affected by this notice shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from November 26, 1947, to December 15, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, together with those presented at 10:00 a. m. on December 15, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on March 16, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from February 26, 1948, to March 16, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on March 16, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall

accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Phoenix, Arizona shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office, Phoenix, Arizona.

The lands affected by this order are the public lands in the following-described areas:

GILA AND SALT RIVER MERIDIAN

- T. 9 N., R. 9 W.,
Secs. 7, 18, 19, 20, and secs. 28 to 31, inclusive.
- T. 8 N., R. 10 W.,
Secs. 2 to 8, inclusive, unsurveyed.
- T. 9 N., R. 10 W.,
T. 10 N., R. 10 W.,
Secs. 31 to 35, inclusive.
- T. 8 N., R. 11 W.,
Secs. 1 to 22, inclusive, and secs. 29 to 31, inclusive, unsurveyed.
- T. 9 N., R. 11 W.,
T. 10 N., R. 11 W.,
Sec. 7;
Secs. 17 to 22, inclusive, and secs. 25 to 36, inclusive.
- T. 7 N., R. 12 W.,
Secs. 1 to 11, inclusive, and secs. 15 to 18, inclusive, unsurveyed.
- Ts. 8 and 9 N., R. 12 W., partly unsurveyed.
- T. 10 N., R. 12 W.,
Secs. 10 to 17, inclusive, and secs. 19 to 36, inclusive.
- T. 6 N., R. 13 W.,
Sec. 6, unsurveyed.
- T. 7 N., R. 13 W.,
Secs. 1 to 23, inclusive, and secs. 28 to 32, inclusive, partly unsurveyed.
- Ts. 8 and 9 N., R. 13 W., partly unsurveyed.
- T. 10 N., R. 13 W.,
Secs. 25, 26, and secs. 32 to 36, inclusive.
- T. 6 N., R. 14 W.,
Secs. 1 to 12, inclusive, secs. 14 to 18, inclusive, secs. 20 to 23, inclusive, and secs. 27 to 28, unsurveyed.
- Ts. 7 and 8 N., R. 14 W., partly unsurveyed.
- T. 9 N., R. 14 W.,
Secs. 11 to 16, inclusive, and secs. 19 to 36, inclusive, unsurveyed.
- T. 6 N., R. 15 W.,
Secs. 1, 2 and 12.
- T. 7 N., R. 15 W.,
Secs. 1 to 18, inclusive, secs. 20 to 28, inclusive, and secs. 34 to 36 inclusive.
- T. 8 N., R. 15 W.,
Secs. 1 to 5, inclusive, and secs. 8 to 36, inclusive, unsurveyed.
- T. 9 N., R. 15 W.,
Secs. 25, 26 and secs. 33 to 36, inclusive, unsurveyed.
- T. 7 N., R. 16 W.,
Sec. 1, unsurveyed.
- T. 8 N., R. 16 W.,
Secs. 24, 25, 26, 35, and 36, unsurveyed.

The area described aggregates approximately 352,300 acres.

These lands are located in Yuma County, Arizona, south of Williams River. They are typical desert areas, valley to mountainous in

character, including portions of Butler Valley and Harecuvar and Buckskin Mountains.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior

OCTOBER 13, 1947.

[F. R. Doc. 47-9353; Filed, Oct. 17, 1947;
8:47 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations
[S. O. 779]

PART 95—CAR SERVICE

PEDDLING GRAPES FROM CARS PROHIBITED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of October A. D. 1947.

It appearing, that there is a shortage of railroad freight cars; that the holding of railroad freight cars for peddling of wine or juice grapes therefrom is resulting in detention and is delaying unduly the use of such cars; in the opinion of the Commission an emergency exists requiring immediate action in all sections of the country: it is ordered, that:

§ 95.779 *Peddling grapes from railroad freight cars prohibited*—(a) *Definition.* As used in this section the term "Car Peddling" means the unloading or removal from a railroad freight car of a lot or quantity of less than 100 containers of wine or juice grapes for transfer of either possession or title to a wholesaler, retailer, or consumer.

(b) *Car peddling prohibited.* No common carrier by railroad subject to the Interstate Commerce Act shall allow or permit car peddling from any railroad freight car or cars.

(c) *Application.* The provisions of this section shall apply to intrastate as well as interstate traffic.

(d) *Effective date.* This section shall become effective at 12:01 a. m., October 15, 1947.

(e) *Expiration date.* This section shall expire at 11:59 p. m., December 14, 1947, unless otherwise modified, changed, suspended, or annulled by order of the Commission.

It is further ordered, that a copy of this order and direction be served upon each State railroad regulatory body, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 1, 24 Stat. 379, as amended, 40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4; 54 Stat. 901, 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 47-9367; Filed, Oct. 17, 1947;
8:50 a. m.]

[S. O. 760]

PART 95—CAR SERVICE

RAILROAD FREIGHT CARS TO BE STOPPED TO COMPLETE LOADING

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of October A. D. 1947.

It appearing, that there is a critical shortage of railroad freight cars; that shippers are appropriating such cars and shipping them almost empty to other points to complete loading; that such practice is wasteful and aggravates the car shortage, depleting and diminishing the use, control, supply, distribution and interchange of such cars; the Commission is of opinion that an emergency requiring immediate action exists in the States of Oregon and Washington: it is ordered, that:

§ 95.780 *Railroad freight cars to be stopped to complete loading.* (a) No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, or transport or move, any railroad freight car (whether ordered or appropriated without being ordered) which car is loaded with lumber, shingles, plywood, doors, and other lumber or forest products in Oregon or Washington and tendered to be forwarded to another point to be stopped off to complete the loading thereof, unless or until the shipper or consignor certifies on the bill of lading that the lumber, shingles, plywood, doors, and other lumber or forest products loaded in the car at the first loading point equals or exceeds twenty-five percent (25%) of the tariff minimum weight.

(b) *Application.* The provisions of this section shall apply to intrastate and foreign commerce as well as interstate commerce.

(c) *Regulations suspended; announcement required.* The operation of all rules and regulations insofar as they conflict with the provisions of this section is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing such suspension.

(d) *Special and general permits.* (1) The provisions of this section shall be subject to any special or general permits issued by the Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C.

(e) *Description of cars subject to this section.* This section shall apply to cars suitable for interchange described under the headings of Class G—Gondola Car Type; Class H—Hopper Car Type; Covered Hopper Cars having a mechanical designation "LO"; Gondolas "MWB"; Class "S", Stock Cars; Class "R", Refrigerator Cars; Closed Box Cars having a mechanical designation in the current Railway Equipment Register prefixed by "X" or "V", also "BX" but only when the latter cars are used in freight service; and Class "F" Flat Cars.

(f) *Effective date.* This section shall become effective at 12:01 a. m., October 15, 1947.

(g) *Expiration date.* This section shall expire at 11:59 p. m., April 15, 1948, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that the order shall vacate and supersede Revised Service Order No. 769 on the effective date hereof; a copy of this order and direction shall be served upon each State railroad regulatory body, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 1, 24 Stat. 379, as amended, 40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 47-9368; Filed, Oct. 17, 1947;
8:50 a. m.]

Subchapter C—Carriers by Water

PART 324—UNIFORM SYSTEM OF ACCOUNTS FOR CARRIERS BY INLAND AND COASTAL WATERWAYS

DISCOUNT, EXPENSE, AND PREMIUM ON CAPITAL STOCK

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 3d day of October A. D. 1947.

The matter of accounting regulations for carriers by inland and coastal water-

ways being under consideration pursuant to the provisions of section 20 of Part I and section 313 of Part III of the Interstate Commerce Act, as amended; and, It appearing, that by order dated August 22, 1947, certain modifications in the "Uniform System of Accounts for Carriers by Inland and Coastal Waterways," were issued (12 F. R. 6013) to become effective January 1, 1948, unless otherwise ordered after consideration of objections to be filed on or before September 30, 1947; and,

It further appearing, that no objections to the said modifications were received on or before the specified date (54 Stat. 917 and 944, 49 U. S. C. 20 (3) and 313 (c)), It is ordered, That:

(1) The following modifications which were attached to and made a part of the said order of August 22, 1947, shall be filed with the Director of the Division of the Federal Register, together with a copy of this order, to be published in the FEDERAL REGISTER as substantive rules under section 3 (a) (3) of the Administrative Procedure Act, such rules to become effective January 1, 1948; and,

(2) Notice shall be given to each carrier by inland and coastal waterways which was served with the order of August 22, 1947, that the said modifications attached thereto and made a part thereof will become effective January 1, 1948, as therein ordered; and,

(3) A copy of this order and a copy of the notice to interested carriers shall be deposited in the office of the Secretary of the Commission at Washington, D. C.

BALANCE-SHEET INSTRUCTIONS

Cancel paragraph (e) of § 324.26 *Discount, expense, and premium on capital stock*, and substitute the following:

(e) If reacquired capital stock is resold, the difference between the amount at which such stock is recorded in the accounts and the net sale price realized from its sale shall be included in account 250.1, "Paid-in surplus," except that debits to that account shall be limited to the accumulated credits therein applicable to that particular class of stock and any excess shall be charged to account 285, "Miscellaneous debits."

(Sec. 20 (3) 41 Stat. 493, as amended, sec. 13 (a), 54 Stat. 917; 49 U. S. C. 20 (3))

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 47-9366; Filed, Oct. 17, 1947;
8:50 a. m.]

PROPOSED RULE MAKING

CIVIL AERONAUTICS BOARD

[14 CFR, Parts 04b, 41, 42, 61]

OXYGEN REQUIREMENTS

PROPOSED RULE MAKING

OCTOBER 13, 1947.

Pursuant to section 4 (a) of the Administrative Procedure Act, the Safety

Bureau of the Civil Aeronautics Board hereby gives notice that the Bureau will propose to the Board amendments to the Civil Air Regulations pertaining to oxygen requirements.

It is desired to standardize the oxygen requirements and to provide for oxygen apparatus on air carrier aircraft equipped with pressurized cabins.

The proposed amendments are based on the comments received as a result of the Safety Bureau Draft Releases 46-1, dated May 29, 1946, and 47-3, dated May 19, 1947, which covered the same subject. They apply to scheduled and nonscheduled air carrier operations and would amend Parts 04b, 41, 42, and 61.

The proposed amendments are as follows:

1. Delete § 04b.562 and Figure 04b-19 and substitute in lieu thereof the following:

§ 04b.562 *Oxygen equipment and supply.*

§ 04b.5620 *Equipment.* When the use of oxygen is required by other parts of the regulations, the oxygen equipment and installation shall perform the intended functions properly and reliably. Each component shall be of an approved type or shall otherwise be shown to comply with the applicable requirements. The distribution and dispensing efficiency of the equipment shall be established for the purpose of complying with the mass flow requirements of § 04b.5621.

NOTE: Efficiency is defined as the ratio of the oxygen inhaled from the dispenser to the corresponding flow from the supply source.

§ 04b.56200 *Distribution system.* Where oxygen is to be supplied to both crew and passengers the distribution system shall conform to one of the following:

(a) Separate supplies, one for the operating crew, the other for passengers and the nonoperating crew.

(b) A common source of supply with means provided so that the minimum supply required by the crew can be reserved for such use.

§ 04b.56201 *Dispensing units and outlets.* Individual dispensing units shall be provided for each person for whom oxygen is required to be furnished. The design of any dispensing unit shall be such as to cover the nose and mouth. The outlets shall be of a design such that the dispensing units are permanently connected thereto, or that when needed they may be connected easily and quickly without the use of special skills.

§ 04b.56202 *Regulators.* Oxygen flow regulators when used shall be automatic in operation. Where a continuous flow system is employed, the maximum number of outlets served per regulator shall be in accordance with the design specifications for the regulator. Where demand type regulators are used, each outlet shall have a separate regulator.

§ 04b.56203 *Gages.* Means shall be installed, available to a member of the crew, to indicate the supply pressures or flows in each source of supply.

§ 04b.56204 *Portable equipment.* Where portable oxygen equipment is used, it shall be of design, weight, and arrangement such that it can be carried easily and conveniently to all parts of the airplane where passengers or crew may be in need of oxygen.

§ 04b.5621 *Supply.* The required mass flow of oxygen per person at various cabin pressure altitudes shall be at least that indicated on revised Figure 04b-19, taking into account the established efficiency of the distribution and dispensing system.

2. Delete §§ 41.23, 42.11, and 61.743, and substitute in lieu of § 61.743 the following:

§ 61.743 *Use of oxygen.* Oxygen shall be provided and used in accordance with

the following rules. As used herein, altitude shall mean the pressure altitude corresponding with the pressure within the cabin of the airplane, except in the case of pressurization failure, in which case it shall mean the pressure altitude of the airplane.

(a) At altitudes between 10,000 and 12,000 feet, oxygen shall be provided for, and used by, each member of the operating crew during the portion of the flight in excess of 30 minutes within this range of altitudes.

(b) At altitudes exceeding 12,000 feet, oxygen shall be provided for, and used by, each member of the operating crew during the entire flight time at such altitudes.

(c) At altitudes between 8,000 and 12,000 feet, a 30-minute supply of oxygen shall be provided for at least 10% of the passengers.

(d) At altitudes between 12,000 and 14,000 feet, oxygen shall be provided for at least 50% of the passengers during the entire flight time within this range of altitudes.

(e) At altitudes exceeding 14,000 feet, oxygen shall be provided for each passenger and each nonoperating crew member during the entire flight time at such altitudes, except that in case of pressurization failure this provision need not apply when the altitude immediately after the failure is 25,000 feet or less and the airplane can safely descend to an altitude of 14,000 feet or less within 4 minutes from the time of such failure.

The oxygen supply as prescribed in (a) (b) (c) (d) and (e) of this section required for a particular flight shall be based on the maximum altitudes and durations consistent with the operating procedures established for such flight and route.

Provisions shall be made in pressurized cabin airplanes to permit compliance with the above requirements in the event of cabin pressurization failure. The failure shall be assumed to occur at a time during the flight which is critical from the standpoint of oxygen need. After such failure the airplane may be assumed to descend, without exceeding its normal operating limitations, to altitudes permitting safe flight with respect to terrain clearance and weather conditions.

NOTE: Considerations of terrain clearance and weather conditions should include: instrument flight altitudes when instrument flight is authorized, probable extent of icing conditions en route, and icing protection provided on the airplane.

The oxygen apparatus, the minimum rates of oxygen flow, and the supply of oxygen necessary to comply with the requirements set forth herein shall be in accordance with § 04b.562 of the Civil Air Regulations.

NOTE: In cases where full compliance with the provisions of § 04b.562 are found by the Administrator to be impractical and not contributing to safety, the equipment may be altered to provide an equivalent level of safety.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

The Safety Bureau invites interested persons to participate in the making of

the proposed rule by submitting such written data, views or arguments as may be desired. All relevant matter presented will be considered. Communications should be addressed to the Safety Bureau, Civil Aeronautics Board, Washington 25 D. C., for receipt not later than November 15, 1947.

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Safety Bureau.

[SEAL] JOHN M. CHAMBERLAIN,
Acting Director,
Safety Bureau.

[F. R. Doc. 47-9361; Filed, Oct. 17, 1947;
8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 52]

UNITED STATES STANDARDS FOR GRADES OF FROZEN GRAPEFRUIT¹

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the issuance, as hereinafter proposed, of United States Standards for Grades of Frozen Grapefruit pursuant to the authority contained in the Department of Agriculture Appropriation Act, 1948 (Pub. Law 266, 80th Cong., 1st Sess., approved July 30, 1947). These standards, if made effective, will be the first issue by the Department for this product.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed standards shall file the same in quadruplicate with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., not later than 30 days after publication of this notice in the FEDERAL REGISTER.

The proposed standards are as follows:

§ 52.364 *Frozen grapefruit.* Frozen grapefruit is prepared from the matured fruit of the grapefruit tree (*Citrus paradisi*), after the fruit has been washed and peeled, and has been separated into segments by removing the core, seeds, and membrane; may be packed with or without packing media; and is frozen and stored at temperatures necessary for the preservation of the product.

(a) *Grades of frozen grapefruit.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of frozen grapefruit of which not less than 75 percent by weight of the grapefruit consists of segments that are whole or almost whole; that possesses a practically uniform, bright, typical color; that is practically free from defects; that possesses a good character; that possesses a normal flavor and odor; and scores not less than 90 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade B" or "U. S. Choice" is the quality of frozen grapefruit of which not less than 50 percent by weight

¹The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

of the grapefruit consists of segments that are whole or almost whole; that possesses a reasonably uniform and reasonably good color; that is reasonably free from defects; that possesses a reasonably good character; that possesses a normal flavor and odor; and scores not less than 80 points when scored in accordance with the scoring system outlined in this section.

(3) "U. S. Broken" is the quality of frozen grapefruit of which less than 50 percent by weight of the grapefruit consists of segments that are whole or almost whole; that possesses a reasonably uniform and reasonably good color; that is reasonably free from defects; that possesses a reasonably good character; that possesses a normal flavor and odor; and scores not less than 70 points when scored in accordance with the scoring system outlined in this section.

(4) "U. S. Grade D" or "Substandard" is the quality of frozen grapefruit that fails to meet the requirements of U. S. Grade B or U. S. Choice and U. S. Broken.

(b) *Ascertaining the grade.* (1) The grade of frozen grapefruit is determined immediately after thawing to the extent that the units may be separated easily. Such grade may be ascertained by considering, in addition to the requirements of the respective grade, the following factors: Wholeness, color, absence of defects, and character.

(2) The relative importance of each factor has been expressed numerically on the scale of 100. The maximum number of points that may be given for each factor is:

	Points
(i) Wholeness.....	20
(ii) Color.....	20
(iii) Absence of defects.....	30
(iv) Character.....	30
Total score.....	100

(3) "Normal flavor and odor" means that the grapefruit is free from objectionable flavors, off flavors, and objectionable odors of any kind.

(c) *Ascertaining the rating of each factor.* The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points)

(i) *Wholeness.* (i) "Whole" or "whole segment" means any segment that retains its apparent original conformation, is not excessively trimmed, and weighs not less than $\frac{3}{8}$ ounce. A whole segment that is excessively trimmed or that weighs less than $\frac{3}{8}$ ounce is considered a broken segment.

(ii) "Almost whole" or "almost whole segment" means any portion of a segment that is not less than 75 percent of the apparent original segment size, is not excessively trimmed, and weighs not less than $\frac{3}{8}$ ounce. An almost whole segment that is excessively trimmed or that weighs less than $\frac{3}{8}$ ounce is considered a broken segment.

(iii) "Broken" or "broken segment" means a portion of a segment that is less than 75 percent of the apparent original segment size, a whole or almost whole segment that is excessively trimmed, a whole or almost whole segment that

weighs less than $\frac{3}{8}$ ounce, and portions of segments that are joined together only by a "thread" or membrane.

(iv) Frozen grapefruit that consists of not less than 75 percent by weight of units that are whole or almost whole segments may be given a score of 18 to 20 points.

(v) If the frozen grapefruit consists of at least 50 percent but less than 75 percent by weight of units that are whole or almost whole segments, a score of 16 or 17 points may be given. Frozen grapefruit that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule).

(vi) If the frozen grapefruit consists of less than 50 percent by weight of the units that are whole or almost whole segments, a score of 0 to 15 points may be given. Frozen grapefruit that falls into this classification shall not be graded above U. S. Broken, regardless of the total score for the product (this is a limiting rule).

(vii) The evaluation of the score points for the factor of wholeness may be determined from Table No. I of this section which indicates the score range in the respective grades and denotes the minimum requirement for whole or almost whole segments and the maximum allowances for broken segments for the score indicated.

TABLE NO. I

Grade	Score points	Whole or almost whole segments	Broken segments
		Minimum (by wt. %)	Maximum (by wt. %)
U. S. Grade A or U. S. Fancy.....	20	100	0
	19	85	15
	18	70	30
U. S. Grade B or U. S. Choice.....	17	65	35
	16	50	50
U. S. Broken.....	15	40	60
	14	30	70
	13	20	80
	12	10	90
	11	5	95
	10	0	100
	9	0	100
	8	0	100
	7	0	100
	6	0	100
	5	0	100
	4	0	100
	3	0	100
	2	0	100
	1	0	100
	0	0	100

¹ Large to small: 100% and depending on size of broken units.

(2) *Color.* Federal inspection certificates may designate pink grapefruit whenever that fact is determined.

(i) The uniformity and intensity of the typical color is considered in determining the factor of color.

(ii) Frozen grapefruit that possesses a practically uniform, bright, typical color may be given a score of 18 to 20 points. "Practically uniform, bright, typical color" means that the grapefruit may possess not more than a slight variation from the typical color of properly matured grapefruit or pink grapefruit from which prepared.

(iii) If the frozen grapefruit possesses a reasonably uniform and reasonably good color, a score of 16 or 17 points may be given. Frozen grapefruit that falls into this classification shall not be

graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule) "Reasonably uniform and reasonably good color" means that the grapefruit may be variable in color, is fairly bright, and is not off color.

(iv) Frozen grapefruit that fails to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 15 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule)

(3) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from harmless extraneous material, from seeds, from portions of covering membrane, and from damaged units.

(i) "Harmless extraneous material" means leaves, small pieces of peel, and other similar material.

(ii) "Seed" means any seed, whether or not fully developed, that measures more than $\frac{3}{16}$ inch in any dimension. A "large seed" is one that may be plump and measures more than $\frac{3}{8}$ inch in any dimension.

(iii) "Damaged unit" means any unit that is damaged by pathological injury, by lye peeling, by discoloration, or by similar injury or that is damaged to such an extent that the appearance or eating quality of the unit is seriously affected.

(iv) Frozen grapefruit that is practically free from defects may be given a score of 27 to 30 points. "Practically free from defects" means that no harmless extraneous material is present; that not more than 5 percent by weight of the grapefruit may be damaged units; and that for each 16 ounces of net weight there may be present:

(a) Not more than 6 seeds including not more than 1 large seed; and

(b) Not more than an aggregate area of 1 square inch on the units covered by membrane.

(v) If the frozen grapefruit is reasonably free from defects, a score of 24 to 26 points may be given. Frozen grapefruit that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule) "Reasonably free from defects" means that not more than 10 percent by weight of the grapefruit may be damaged units; and that for each 16 ounces of net weight there may be present:

(a) Not more than 1 small piece of harmless extraneous material;

(b) Not more than 12 seeds including not more than 3 large seeds; and

(c) Not more than an aggregate area of 2 square inches on the units covered by membrane.

(vi) Frozen grapefruit that fails to meet the requirements of subdivision (v) of this paragraph may be given a score of 0 to 23 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(vii) The evaluation of the score points for the factor of absence of defects may be determined from Table No. II of this section which indicates the maximum allowances for each type of defect for the score indicated.

PROPOSED RULE MAKING

TABLE NO. II

Grade and score points	Harmless extraneous material	Damaged units	Seeds	Aggregate area covered by membrane
	Maximum			
	Per 16 ounces	By weight	Per 16 ounces	
U. S. Grade A or U. S. Fancy:				
30.....	None.....	1%.....	None.....	None.....
29.....	None.....	2%.....	2, but no large seeds.....	1/2 square inch
28.....	None.....	3%.....	4, but no large seeds.....	3/4 square inch
27.....	None.....	5%.....	6, including 1 large seed.....	1 square inch.
U. S. Grade B or U. S. Choice and Broken:				
26.....	1 small piece.....	7%.....	8, including 1 large seed.....	1 1/2 square inches.
25.....	1 small piece.....	9%.....	10, including 2 large seeds.....	1 3/4 square inches.
24.....	1 small piece.....	10%.....	12, including 3 large seeds.....	2 square inches.
U. S. Grade D, or Substandard:				
23 or less.....			More than allowances permitted for 24 points.	

(4) *Character* The factor of character refers to the structure and condition of the cells and reflects the maturity of the grapefruit.

(i) Frozen grapefruit that possesses a good character may be given a score of 27 to 30 points. "Good character" means that the grapefruit is moderately firm and fleshy; that the segments possess a well-developed, juicy, cellular structure; that the product is fairly free from loose cell sacs; and that not more than 5 percent by weight of the grapefruit consists of soft, fibrous, or "ricey" segments.

(ii) If the frozen grapefruit possesses a reasonably good character, a score of 24 to 26 points may be given. Frozen grapefruit that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule) "Reasonably good character" means that the grapefruit is fairly firm and fleshy and that not more than 15 percent by weight of the grapefruit consists of soft, fibrous, or "ricey" segments.

(iii) Frozen grapefruit that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 23 points and shall not be graded above U. S. Grade D or Substandard.

ard, regardless of the total score for the product (this is a limiting rule)

(d) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of frozen grapefruit, the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if:

(i) Not more than one-sixth of such containers fails to meet all the requirements of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, must be within the range for the grade indicated;

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(e) *Score sheet for frozen grapefruit.*

Size and kind of container.....		
Container code or marking.....		
Label (style of pack: ratio of fruit-sugar, etc., if shown).....		
Net weight.....		
Color (if "pink" varieties).....		
Factors	Score points	
I. Wholeness.....	20	{(A) 18-20..... {(B) 16-17..... {(D) 10-16.....
II. Color.....	20	{(A) 18-20..... {(B) 16-17..... {(D) 10-16.....
III. Absence of defects.....	30	{(A) 27-30..... {(B) 24-26..... {(D) 10-23.....
IV. Character.....	30	{(A) 27-30..... {(B) 24-26..... {(D) 10-23.....
Total score.....	100	
Normal flavor and odor.....		
Grade.....		

¹ Indicates limiting rule.

Issued this 14th day of October 1947.

[SEAL] S. R. NEWELL,
Acting Assistant Administrator,
Production and Marketing Administration.

[F. R. Doc. 47-9363; Filed, Oct. 17, 1947;
8:49 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 1968274]

CALIFORNIA

RESTORATION ORDER NO. 1230 UNDER FEDERAL POWER ACT

OCTOBER 10, 1947.

Pursuant to the determination of the Federal Power Commission (DA-657, California) and in accordance with 43 CFR 4.275 (a) (16) (Departmental Order No. 2238 of August 16, 1946, 11 F. R. 9080) it is ordered as follows:

The land hereinafter described which was withdrawn for Power Site Classifi-

cation No. 14 by Departmental Order of November 26, 1921, is hereby opened to disposition under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063) as amended by the act of August 26, 1935 (49 Stat. 846, 16 U. S. C. 818)

At 10:00 a. m. on December 11, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from December 12, 1947, to March 11,

1948, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be

subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from November 22, 1947, to December 11, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on December 12, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on March 12, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from February 21, 1948, to March 11, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on March 12, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Sacramento, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Sacramento, California.

The lands affected by this order are described as follows:

HUMBOLDT MERIDIAN

T. 2 N., R. 4 E., sec. 35, SW¼NE¼

The area described contains 40 acres. This land is rough, mountainous and rocky in character.

FRED W. JOHNSON,
Director.

[F. R. Doc. 47-9351; Filed, Oct. 17, 1947; 8:46 a. m.]

No. 205—3

Office of the Secretary

[Order 2369]

NATIVE RESERVATION, SHUNGNAK, ALASKA EXTENSION OF TIME FOR FILING STATEMENTS WITH RESPECT TO PROPOSED DESIGNATION

OCTOBER 10, 1947.

Notice is hereby given that the time within which interested persons may file with the Department of the Interior, Washington, D. C. any documents or written statements of their views concerning the proposed designation of native reservation at Shungnak, Alaska, as provided in Order No. 2350 of August 1, 1947 (12 F. R. 5312) is hereby extended to and including November 1, 1947.

WILLIAM E. WARNE,
Assistant Secretary of the Interior.

[F. R. Doc. 47-9372; Filed, Oct. 17, 1947; 8:51 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[Administrative Order 383]

APPOINTMENT OF AUTHORIZED REPRESENTATIVES TO GRANT OR DENY APPLICATIONS FOR, AND TO CANCEL SPECIAL CERTIFICATES FOR EMPLOYMENT OF APPRENTICES AND LEARNERS

By virtue of, and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, (52 Stat. 1060; 29 U. S. C. 201 et seq.) I, Wm. R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, hereby designate and appoint Isabel Ferguson, Verl E. Roberts and Harry Weiss as my authorized representatives, with full power and authority to grant or deny applications for special certificates for the employment of apprentices and learners, to sign, issue and cancel special certificates authorizing the employment of apprentices and learners and to take such other action as may be necessary or appropriate in connection therewith, pursuant to the provisions of section 14 of the Fair Labor Standards Act of 1938 and Regulations, Parts 520, 521 and 522, Title 29, Chapter V, Code of Federal Regulations.

Signed at Washington, D. C., this 9th day of October 1947.

Wm. R. McComb,
*Administrator,
Wage and Hour Division,
U. S. Department of Labor.*

[F. R. Doc. 47-9346; Filed, Oct. 17, 1947; 8:50 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2868]

BRANIFF AIRWAYS, INC.

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, of Braniff Airways, Inc., over its Latin American route; and the order to show

cause therein, published by the Board October 3, 1947 (Serial No. E-848)

Notice is hereby given that hearing in the above-entitled matter is assigned to be held on October 23, 1947, at 10:00 a. m. (e. s. t.), in Room 1503, Department of Commerce Building, 14th and E Streets NW., Washington, D. C., before Examiner Richard A. Walsh.

Dated at Washington, D. C., October 15, 1947.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-9375; Filed, Oct. 17, 1947; 8:50 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 6741]

CLEAR CHANNEL BROADCASTING

PLACE OF THE HEARING

The hearing in the above-entitled proceeding scheduled to begin at ten o'clock on October 20, 1947, at Washington, D. C., will be held in Conference Room B adjacent to the Departmental Auditorium, Thirteenth Street and Constitution Avenue, Northwest.

Dated: October 10, 1947.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-9368; Filed, Oct. 17, 1947; 8:45 a. m.]

[Docket No. 7874]

RADIOTELEGRAPH SERVICE BETWEEN UNITED STATES AND FOREIGN AND OVERSEAS POINTS AND ASSIGNMENT OF FREQUENCIES FOR SUCH SERVICE

NOTICE OF HEARING SCHEDULE

Notice is hereby given to the parties and others who expect to present evidence herein of the following tentative hearing schedule:

Name of Party or Other Organization to Present Evidence and Date on Which Presentation Expected to Begin

Parties:

South Porto Rico Sugar Co.	Nov. 17, 1947
Tropical Radio Telegraph Co.	Nov. 18, 1947
Globe Wireless, Ltd.	Dec. 1, 1947
Mackay Radio & Telegraph Co.	Dec. 2, 1947
RCA Communications, Inc.	Jan. 5, 1948
United States-Liberia Radio Corp.	Jan. 19, 1948
Press Wireless, Inc.	Jan. 20, 1948

Non-parties:

The Western Union Telegraph Co.	Jan. 23, 1948
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Approved: October 10, 1947.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-9373; Filed, Oct. 17, 1947; 8:45 a. m.]

FEDERAL FARM MORTGAGE CORPORATION

[Surplus Property Transfer Order 8]

KISATCHIE NATIONAL FOREST

TRANSFER OF JURISDICTION OF SURPLUS FOREST LANDS

Transferring jurisdiction of surplus forest lands within the Kisatchie National Forest and Purchase Unit, Louisiana, to the Forest Service pursuant to the provisions of the Surplus Property Act of 1944 (58 Stat. 765) as amended.

Whereas, the following described lands owned by the United States of America and situated in Rapides Parish, Louisiana, within the Kisatchie National Forest and Purchase Unit have been declared surplus and classified as forest lands pursuant to the provisions of the Surplus Property Act of 1944 (58 Stat. 765), as amended:

LOUISIANA MERIDIAN

T. 1 N., R. 2 W.,
Sec. 2, W $\frac{1}{2}$,
Sec. 4, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, and
N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 7, E $\frac{1}{2}$ NW $\frac{1}{4}$,
T. 2 N., R. 2 W.,
Sec. 8, SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 10, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 18, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 22, SE $\frac{1}{4}$,
Sec. 23, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 26, W $\frac{1}{2}$,
Sec. 27, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
and SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 28, NE $\frac{1}{4}$,
Sec. 29, S $\frac{1}{2}$,
Sec. 31, All;
Sec. 32, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and
W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 2 N., R. 3 W.,
Sec. 1, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 13, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 26, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 36, W $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ except a certain piece or parcel of land conveyed by James M. Gilbert to Murdock H. Melder, by deed dated June 10, 1932, recorded Parish of Rapides, C. O. B. 185, folio 321, described as follows, to-wit: A piece or parcel of land lying in and being that part of SW $\frac{1}{4}$ SE $\frac{1}{4}$ south of the gravel highway leading from Melder Postoffice to Forest Hill, Louisiana, and extending from the said gravel road to the 40-acre line, containing 3 acres, more or less.

Containing in all 3,778.26 acres of land, more or less.

The lands hereby transferred are subject to:

1. Existing easements for public roads and highways, public utilities, railroads, and pipe lines; and
2. Existing mineral reservations and exceptions of record.
3. Less and except all buildings and structures located on Tracts 3-MJM, L-9, L-11, and the reservation of the right of ingress and egress for the purpose of demolishing and removing the said buildings and structures.
4. Less and except all water pipe lines and water system, which includes four water tanks and pump houses, and all connecting pipe and equipment, and subject to the reservation of the right of ingress and egress for the purpose of removing, repairing, and disposing of said water pipe lines, equipment, and water system.
5. Less and except all overhead electrical transmission lines, poles, and system, if any,

with right of ingress and egress for the purpose of removing and disposing of same.

Whereas, the Forest Service is desirous of acquiring administrative control and jurisdiction over the above described lands for administration as a part of the Kisatchie National Forest and the acquisition has been approved by the National Forest Reservation Commission; and

Whereas, the Forest Service has caused the sum of \$33,610, which is the fair value of the lands, to be covered into the Treasury of the United States for deposit to the credit of the Federal Farm Mortgage Corporation from funds appropriated by the Congress for the acquisition of lands under the provisions of the act of March 1, 1911 (36 Stat. 961) as amended;

Now, therefore, the Federal Farm Mortgage Corporation, pursuant to the authority vested in it in the disposal of surplus agricultural or forest property, by virtue of delegations of authority issued pursuant to the provisions of the aforementioned Act of 1944, does hereby transfer the aforesaid lands to the Forest Service as of this date.

In witness whereof, the Federal Farm Mortgage Corporation has, on this 23d day of September 1947, caused these presents to be duly executed for and in its name and behalf and the seal of the said corporation to be hereunto affixed.

FEDERAL FARM MORTGAGE
CORPORATION,
L. S. SHAMELIN,
Vice President.

[SEAL]

Attest:
W D. JONES, Jr.,
Assistant Secretary.

[F. R. Doc. 47-9374; Filed, Oct. 17, 1947;
8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-954]

MID-EAST TENNESSEE NATURAL GAS CO.

NOTICE OF APPLICATION

OCTOBER 13, 1947.

Notice is hereby given that on September 30, 1947, an application was filed with the Federal Power Commission by The Mid-East Tennessee Natural Gas Company (Applicant) a Tennessee corporation with its principal place of business at Chattanooga, Tennessee, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the Applicant to construct and operate facilities described as follows:

A trunk transmission line approximately 106 miles in length from a point of connection with proposed Southern Natural Gas Co. facilities near Chattanooga, passing through Cleveland, Athens, Sweetwater and Maryville to Knoxville, all in Tennessee. The proper diameter of this line will depend upon the gas pressure at the intake. If the pressure at this point is 200 pounds it is probable that a 10 $\frac{3}{4}$ -inch O. D. line will be preferred.

The line will be designed to deliver 25,000 Mcf daily and this volume of gas can be assured using a 10 $\frac{3}{4}$ -inch O. D.

line with a single compressor station. An additional compressor station would increase the capacity of 30,000 Mcf daily, which it is believed will meet market requirements for a period of several years.

Applicant asserts that its project is designed to provide an adequate present and future supply of natural gas for the industrial and commercial centers of the upper Tennessee River Basin, and that gas will be purchased from the Southern Natural Gas Company in the vicinity of Chattanooga and delivered to intermediate communities within economic distance of its main transmission line, including Knoxville, Cleveland, Athens, Niota, Sweetwater, Loudon, Lenoir City and Maryville.

Applicant states that on May 21, 1947, it entered into a contract with Southern Natural Gas Company under the terms of which the latter company has undertaken to supply the market demands of Applicant for twenty years to the extent of 22,000 Mcf daily; and that Southern Natural Gas Company agrees to present to the Commission such applications for certificates of public convenience and necessity as may be necessary to enable it to fulfill this contract.

The total investment is indicated to be \$2,917,000.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of the Mid-East Tennessee Natural Gas Company is on file with the Commission and open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947) (18 CFR 1.8 or 1.10)

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-9349; Filed, Oct. 17, 1947;
8:46 a. m.]

[Docket No. G-957]

MOUNTAIN FUEL SUPPLY CO.

NOTICE OF APPLICATION

OCTOBER 14, 1947.

Notice is hereby given that on October 6, 1947, an application was filed with the Federal Power Commission by Mountain Fuel Supply Company (Applicant) a Utah corporation with its principal place of business at Salt Lake City, Utah, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, au-

thorizing the construction and operation of certain natural-gas pipe line facilities, subject to the jurisdiction of the Commission, which are described as follows:

Approximately 27 miles of 10 $\frac{3}{4}$ -inch O. D. loop line paralleling the existing main line of applicant between South Salt Lake City and Pleasant Grove, Utah, and an extension thereto of approximately 10 miles of 10 $\frac{3}{4}$ -inch O. D. line between Pleasant Grove, Utah, and Provo, Utah, at which latter point connection will be made to an existing coke oven gas distribution system operated by the applicant.

Applicant states that due to the inadequacy of the coke oven gas to properly supply service to the communities of Provo, Springville and Spanish Fork, Utah, and in those areas in Utah County presently served with coke oven gas, the Public Service Commission of Utah, on May 21, 1947, ordered the service of natural gas therein, in lieu of coke oven gas now being furnished, and in the towns of Linton and Orem, Utah County, through which the extension will pass.

The estimated over-all gas cost of construction of the proposed facilities is \$800,000 which will be financed out of available gas funds of applicant.

Any interested State Commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.32) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

The application of Mountain Fuel Supply Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947) (18 CFR 1.8 or 1.10)

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-9350; Filed, Oct. 17, 1947;
8:46 a. m.]

[Docket No. IT-6091]

NORTHWESTERN PUBLIC SERVICE CO.

NOTICE OF APPLICATION

OCTOBER 13, 1947.

Notice is hereby given that on October 10, 1947, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Northwestern Public Service Company, a corporation organized under the laws of the State of Delaware and doing business in the States of South Dakota and Nebraska with its principal

business office at Huron, South Dakota, seeking an order authorizing the issuance of 82,000 shares of Common Stock of the par value of \$3 per share. Applicant proposes to offer to the holders of its shares of outstanding Common Stock, on the record date fixed for such purpose, and in accordance with the preemptive rights of such holders, the right to subscribe at a specified price per share for the said 82,000 shares of Common Stock, at the rate of one share of Common Stock for each five shares then held and to sell to underwriters such shares as are not purchased through exercise of subscription warrants; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest, with reference to said application should, on or before the 3d day of November 1947, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-9348; Filed, Oct. 17, 1947;
8:46 a. m.]

[Docket No. IT-6092]

COMMUNITY PUBLIC SERVICE CO.

NOTICE OF APPLICATION

OCTOBER 13, 1947.

Notice is hereby given that on October 13, 1947, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Community Public Service Company, a corporation organized under the laws of the State of Delaware and doing business in the States of Kentucky, Louisiana, New Mexico and Texas, with its principal business office at Fort Worth, Texas, seeking an order authorizing the issuance of \$1,100,000 principal amount of promissory notes dated or to be dated during 1947, representing short-term loans obtained or to be obtained from banking institutions as follows: a promissory note in the principal sum of \$300,000 bearing interest at the rate of 1 $\frac{1}{2}$ % per annum, executed on August 12, 1947, payable to the Fort Worth National Bank of Fort Worth, Texas, and maturing in 120 days from said date, a promissory note in the principal sum of \$150,000 bearing interest at the rate of 1 $\frac{1}{2}$ % per annum, executed October 8, 1947, payable to the Continental National Bank of Fort Worth, Texas, and maturing in 90 days from said date, a promissory note in the principal sum of \$150,000 bearing interest at the rate of 1 $\frac{1}{2}$ % per annum, executed October 8, 1947, payable to the First National Bank of Fort Worth, Texas, and maturing in 90 days from said date, additional short-term promissory notes proposed for execution in the aggregate principal sum of \$500,000 bearing interest at the rate of 1 $\frac{1}{2}$ % per annum to be executed and dated at such time or times as short-term bank loans are made during the remainder of the calendar year 1947; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 28th day of October, 1947, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-9347; Filed, Oct. 17, 1947;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 312]

RECONSIGNMENT OF CELERY AT BALTIMORE,
Md.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15003), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Baltimore, Md., September 30, 1947, by Tony Bitrano, of car FGEX 37787, celery, now on the PRR to Robert C. Cochran, New York, N. Y. (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of October 1947.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-9363; Filed, Oct. 17, 1947;
8:50 a. m.]

[S. O. 620, Special Permit 11]

LIGHT WEIGHING OF CARS LOADED WITH
IMPORT SCRAP LEAD AT HOWLAND HOOK,
STATEN ISLAND, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 620 (12 F. R. 641), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 620 insofar as it applies to the light weighing of not to exceed 3 railroad cars to be loaded with import scrap lead as ordered by the U. S. Commercial Company at Howland Hook, Staten Island, N. Y.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American

Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of October 1947.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 47-9370; Filed, Oct. 17, 1947;
8:50 a. m.]

[S. O. 620, Special Permit 12]

LIGHT WEIGHING OF CARS AT TACOMA, WASH.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 620 (12 F. R. 641) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 620 insofar as it applies to the light weighing of railroad cars at Tacoma, Washington, by the Milwaukee Railroad for loading Turkish chrome ore to be discharged from steamship "Abraham Rosenberg" now due to arrive October 17, 1947.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of October 1947.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 47-9371; Filed, Oct. 17, 1947;
8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-127, 59-3, 59-12]

ELECTRIC BOND AND SHARE CO. ET AL ORDER GRANTING APPLICATION FOR EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pennsylvania, on the 10th day of October A. D. 1947.

In the matter of Electric Bond and Share Company, File No. 54-127; Electric Bond and Share Company and its subsidiary companies, respondents, File No. 59-3; Electric Bond and Share Com-

pany, American Power & Light Company, National Power & Light Company, Electric Power & Light Corporation, et al. respondents, File No. 59-12.

Electric Bond and Share Company ("Bond and Share") having filed an application requesting that the Commission extend for a period of six months, from October 6, 1947, the time within which Bond and Share must dispose of its holdings of the common stocks of American Gas and Electric Company ("American Gas") Carolina Power & Light Company and Birmingham Electric Company ("Birmingham") as required by the provisions of Bond and Share's Plan II-A approved by the Commission on September 6, 1946; and

Said application stating that since the effective date of Plan II-A (March 6, 1947) Bond and Share has disposed of a substantial portion of its holdings of the common stock of American Gas and has obtained approval of the Commission with respect to the sale of the common stock of Carolina; and the application further stating that it is the opinion of the management of Bond and Share that in order to protect the interests of its stockholders, an additional period of six months is required to effectuate the sale of its remaining holdings of the common stock of American Gas, Carolina and Birmingham and that it would be inadvisable to sell the common stocks of Carolina and Birmingham simultaneously; and

Said application having been filed on September 20, 1947 and public notice of said filing having been duly given, and the Commission not having received a request for hearing with respect to said application within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission, upon the basis of the reasons advanced and representations made in support of the requested extension of time, that it is appropriate in the public interest and the interest of investors to grant said request:

It is ordered, That Bond and Share's request for a six month extension to April 6, 1948 of the time within which it must dispose of its holdings of the common stock of American Gas, Carolina and Birmingham, as required by the provisions of Bond and Share's Plan II-A, approved by the Commission on September 6, 1946, be, and the same hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-9357; Filed, Oct. 17, 1947;
8:51 a. m.]

[File No. 70-1575]

DERBY GAS & ELECTRIC CORP. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 10th day of October A. D. 1947.

In the matter of Derby Gas & Electric Corporation, The Derby Gas and Elec-

tric Company, The Danbury and Bethel Gas and Electric Light Company, The Wallingford Gas Light Company; File No. 70-1575.

Derby Gas & Electric Corporation ("Derby") a registered holding company, and its subsidiary companies, The Derby Gas and Electric Company ("Derby of Connecticut"), The Danbury and Bethel Gas and Electric Light Company ("Danbury"), and The Wallingford Gas Light Company ("Wallingford") having filed an application and declaration pursuant to sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and the applicable rules thereunder, proposing the following transactions:

(a) The issue and sale by Derby to The Equitable Life Assurance Society of the United States ("Equitable") of \$5,031,000 principal amount of new 3% Collateral Trust Debentures, due 1957, in exchange for \$4,231,000 aggregate principal amount of Derby's presently outstanding 3% Collateral Trust Debentures due 1954 and 2 3/4% Collateral Trust Debentures due 1956, now held by Equitable, and the payment by Equitable of \$812,014.80 cash;

(b) The issue by Derby to its common stockholders of warrants to subscribe to one additional share of its no par value common stock for each five shares of common stock held by such stockholders, and the issue and sale by Derby of a maximum of 43,610 shares of its no par value common stock pursuant to such warrants;

(c) The issue by Derby of Connecticut and Danbury and the acquisition by Derby of demand notes in consideration of cash advances from Derby; and

(d) The sale by Derby and the reacquisition and retirement by Derby of Connecticut and Danbury of said demand notes, in consideration of the issue by Derby of Connecticut and Danbury of additional shares of their common stocks and the acquisition of such shares by Derby.

A public hearing having been held, after appropriate notice, in respect of the aforesaid application and declaration, and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said application be, and the same hereby is, granted, and that said declaration be, and the same hereby is, permitted to become effective, subject to the terms and conditions set forth in Rule U-24, and subject to the further condition that the proposed issue and sale by Derby of Connecticut and Danbury of additional shares of common stock shall not be consummated unless they obtain from the Connecticut Public Utilities Commission final orders expressly authorizing such transactions.

It is further ordered, That jurisdiction be, and the same hereby is, reserved to determine the reasonableness of the legal fees in respect of the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-9358; Filed, Oct. 17, 1947;
8:48 a. m.]

[File No. 70-1617]

ALABAMA POWER Co.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 14th day of October 1947.

Alabama Power Company ("Alabama Power") a public utility subsidiary of The Commonwealth & Southern Corporation, a registered holding company having filed an application and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder, with respect to the transaction summarized below:

Alabama Power proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, \$10,000,000 principal amount of its First Mortgage Bonds, —% Series, due October 1, 1977, to be issued under and secured by the company's existing indenture dated as of January 1, 1942, as supplemented by an indenture to be dated as of October 1, 1947. The application states that the proceeds from the sale of the bonds are considered to be available for use by Alabama Power for property additions and to provide for its lawful obligations already incurred and to reimburse its treasury for expenditures already made for such purpose.

The Alabama Public Service Commission, the state commission of the state in which Alabama Power is organized and doing business, has expressly authorized the proposed issuance and sale of the bonds.

Said application having been filed on August 29, 1947, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Alabama Power having requested that the Commission's order become effective forthwith and that, in connection with the competitive bidding, the ten day period for inviting bids required by the provisions of Rule U-50 be shortened to not less than six days; and the Commission deeming it appropriate to grant such requests; and

The Commission finding with respect to said application, as amended, that the requirements of the applicable provisions of the act and the rules promulgated thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application, as amended, be granted:

It is hereby ordered, That, pursuant to Rule U-23, said application, as amended, be, and the same hereby is granted forthwith, subject to the terms and conditions prescribed in Rule U-24 and to the following conditions:

1. That the proposed issue and sale of the bonds shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 with respect to the bonds have been made a matter of record herein and a further

order shall have been entered with respect thereto, which order may contain such further terms and conditions as may then be deemed appropriate, for which purpose jurisdiction is hereby reserved.

2. That jurisdiction be reserved with respect to the payment of the fees and expenses of all counsel in connection with the proposed transaction.

It is further ordered, That the ten day period required by Rule U-50 for inviting bids for the purchase of the bonds be shortened to a period of not less than six days.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.[F. R. Doc. 47-9356; Filed, Oct. 17, 1947;
8:47 a. m.]

[File Nos. 70-1643, 70-1644]

WISCONSIN PUBLIC SERVICE CORP. AND
STANDARD GAS AND ELECTRIC CO.NOTICE OF FILING, ORDER OF CONSOLIDATION
AND NOTICE OF AND ORDER FOR
HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 13th day of October 1947.

Notice is hereby given that Wisconsin Public Service Corporation ("Wisconsin") a public utility company, and its parent, Standard Gas and Electric Company ("Standard"), a registered holding company, have filed separate applications-declarations pursuant to the Public Utility Holding Company Act of 1935 ("Act") and the rules and regulations promulgated thereunder. Wisconsin has designated section 6 (b) of the act and Rules U-24, U-43, and U-50 promulgated thereunder as applicable to its proposed transactions; Standard has designated sections 9 and 10 of the act as applicable to its proposed transaction. All interested persons are referred to said applications-declarations which are on file in the office of the Commission for a full statement of the transactions therein proposed which are summarized below:

Wisconsin proposes to issue \$4,000,000 principal amount of First Mortgage Bonds due November 1, 1977 under the First Mortgage and Deed of Trust, dated January 1, 1941 from Wisconsin to the First Wisconsin Trust Company, as Trustee, as supplemented by a Supplemental Indenture to be dated as of November 1, 1947. The new bonds will be sold at competitive bidding pursuant to the requirements of Rule U-50 and the interest rate and redemption prices of the new bonds and the price to be paid to the Company (which shall not be less than 100% and not more than 102½% of the principal amount thereof), exclusive of accrued interest, shall be determined by the competitive bidding.

Wisconsin requests that the ten-day notice period for inviting bids as provided by subdivision (b) of Rule U-50 be shortened to six days and it proposes to advise the Commission by telegram on the day preceding the publication of

public invitation for bids of the proposed date of opening of such bids.

Wisconsin further proposes to issue and sell and Standard (which owns all of Wisconsin's presently outstanding Common Stock) proposes to acquire, prior to or simultaneously with the sale of the aforesaid new bonds, 100,000 additional shares of the Common Stock, \$10 par value per share, of Wisconsin for a total cash consideration of \$1,000,000.

Wisconsin proposes to apply the net proceeds from the sale of new bonds and Common Stock which are expected to aggregate approximately \$5,000,000 to the retirement of \$5,000,000 principal amount of its presently outstanding short-term bank loans which mature December 1, 1947. Any balance over or deficit in the expected net proceeds of \$5,000,000 will be added to or taken from, as the case may be, Wisconsin's general corporate funds.

Wisconsin represents that the proposed issue and sale of \$4,000,000 principal amount of new bonds and 100,000 shares of Common Stock are part of an overall permanent financing program of the Company whereby it intends to sell, in 1948, an additional \$2,000,000 principal amount of bonds and sufficient Common Stock to provide \$4,000,000.

Wisconsin has filed herein a copy of its application to the Public Service Commission of Wisconsin, the state commission of the state in which Wisconsin is organized and doing business, for approval of the transactions proposed herein.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said applications-declarations and that said applications-declarations shall not be granted or permitted to become effective except pursuant to further order of the Commission; and it appearing to the Commission that these two applications-declarations involve questions of law and fact common to both and that evidence adduced in one of the proceedings may have a bearing upon the issues presented in the other proceedings and that a substantial saving of time and expense would result if the proceedings were consolidated:

It is hereby ordered, That the proceedings with respect to the applications-declarations filed by Wisconsin and the proceedings with respect to the application-declaration filed by Standard be, and hereby are, consolidated and that a hearing on such consolidated proceedings under the applicable provisions of the act and rules and regulations promulgated thereunder be held on October 22, 1947 at 10:00 a. m., e. s. t., at the office of this Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in Room 318. Any person who desires to be heard or otherwise wishes to participate in these consolidated proceedings shall file with the Secretary of the Commission on or before October 21, 1947, a written request relating thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Willis E. Monty, or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary study of said applications-declarations and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice, however, to the presentation of additional matters and questions upon further examination:

(a) Whether the proposed issue and sale of new bonds and Common Stock of Wisconsin are exempt from the provisions of sections 6 (a) and 7 of the act pursuant to section 6 (b) thereof and, if not, whether said issues and sales meet the requirements of section 7 of the act.

(b) Whether, in the event that the exemption provided by section 6 (b) of the act is granted, it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions in connection with the proposed issuance of new bonds and Common Stock of Wisconsin, and, if so, what terms and conditions should be imposed.

(c) Whether the indenture and supplemental indenture securing the proposed new bonds of Wisconsin contain adequate protective provisions for the benefit of security holders.

(d) Whether the proposed acquisition by Standard of the Common Stock of Wisconsin meets the applicable requirements of section 10 of the act.

(e) Whether the proposed accounting entries to be recorded in connection with the proposed transactions are proper and conform with sound accounting principles and meet the standards of the act.

(f) Whether the fees, commissions and other remuneration to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

(g) What terms and conditions, if any, with respect to the proposed transactions should be prescribed in the public interest or for the protection of investors and consumers.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on Wisconsin Public Service Corporation, Standard Gas and Electric Company, the Public Service Commission of Wisconsin and that notice of said hearing shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases under the Public Utility Holding Com-

pany Act of 1935 and by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-9359; Filed, Oct. 17, 1947;
8:48 a. m.]

[File No. 70-1647]

CENTRAL MAINE POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 14th day of October A. D. 1947.

Notice is hereby given that an application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Central Maine Power Company ("Central Maine") a public utility subsidiary of New England Public Service Company, a registered holding company. Applicant has designated the first sentence of section 6 (b) of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than October 23, 1947, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after October 23, 1947, said application, as filed, or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof.

All interested persons are referred to said application which is on file with this Commission for a statement of the transactions therein proposed which are summarized as follows:

Central Maine proposes to borrow from time to time an aggregate amount of \$7,000,000 (including \$3,000,000 principal amount of notes now outstanding with The First National Bank of Boston) to be evidenced by its unsecured promissory notes with a maturity of not more than nine months from their respective dates. Applicant states that it has made arrangements with The First National Bank of Boston to borrow up to \$7,000,000 at an interest rate of 1½% per annum. It is further stated by applicant that the proceeds from the sale of these notes are needed to complete its 1947 construction program, and for its other cash requirements. Applicant represents that such proposed notes will be retired through the issuance and sale of \$4,000,000 principal amount of First and General Mortgage Bonds and sufficient shares of Common Stock, \$10 par value, to provide the company with \$3,000,000.

The amount of such notes will constitute approximately 8.2% of the principal amount and par value of outstanding securities of Central Maine (other than short-term obligations) and the company requests authorization, pursuant to the first sentence of section 6 (b) of the act, to issue such notes.

It is represented by applicant that the proposed transactions are not subject to the jurisdiction of any State Commission or Federal Commission other than this Commission.

Applicant requests acceleration of the Commission's action on this application and requests that the Commission's order be issued by October 24, 1947, and that such order become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-9355; Filed, Oct. 17, 1947;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 60, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order OE 410]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN MICHIGAN, OHIO, MINNESOTA AND IOWA COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United

States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on October 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depository	Column 6 Sum vested
		<i>Item 1</i>			
Francesca Virgilio (Vigliio) (Vivilio).	Italy.....	Estate of Michael Lico, deceased, Probate Court, Wayne County, State of Michigan, No. 312393.	\$50.00	County Treasurer of Wayne County, Detroit, Mich.	\$47.00
Francesco Condino.....	do.....	<i>Item 2</i> Estate of Domenico Condino, deceased, Probate Court, Wayne County, Mich.	153.05	do.....	50.00
Inachenza Condino.....	do.....	<i>Item 3</i> Same.....	153.05	do.....	50.00
		<i>Item 4</i>			
Elouise M. Fiamingo.....	do.....	Trust under will of Mary Longworth Stettinius Perkins, Probate Court, Hamilton County, State of Ohio, No. 116783.	(9)	First National Bank of Cincinnati, 4th and Walnut Sts., Cincinnati, Ohio, and John B. Hollister, 603 Dixie Terminal Bldg., Cincinnati, Ohio, trustees.	200.00
		<i>Item 5</i>			
Ole Skar.....	Norway.....	Estate of Maria O. Skar, deceased. Probate Court, Otter Tail County, Minn.	1,492.87	Mr. Thorpeir Siveland, Consul General of Norway, Royal Norwegian Consulate, Room 202, Foshay Tower, Minneapolis, Minn.	59.00
		<i>Item 6</i>			
Marit Gundersen.....	do.....	Estate of Hans Gundersen, deceased. Probate Court, County of Marquette, State of Michigan.	3,600.00	Per Vennemo, Acting Consul of Norway, Royal Norwegian Consulate, Chicago, Ill.	5.00
Gunnar Gundersen.....	do.....	<i>Item 7</i> Same.....	3,600.00	do.....	5.00
Anders Gundersen.....	do.....	<i>Item 8</i> Same.....	8,100.00	do.....	10.00
Marit Hervik.....	do.....	<i>Item 9</i> Same.....	8,100.00	do.....	10.00
Olga Nikoline Augusta Oiaas.	do.....	<i>Item 10</i> Same.....	8,100.00	do.....	10.00
		<i>Item 11</i>			
Concetta Fazio.....	Italy.....	Estate of Severio Fazio, deceased, Probate Court, Cuyahoga County, Ohio, No. 300454.	102.15	Anthony J. Celebrezze, Administrator, care of Celebrezze and Celebrezze, 1610 Marshall Bldg., Cleveland, Ohio.	10.00
Vincenzo Fazio.....	do.....	<i>Item 12</i> Same.....	102.15	do.....	10.00
Francoise Fazio.....	do.....	<i>Item 13</i> Same.....	102.15	do.....	10.00
Severio Fazio.....	do.....	<i>Item 14</i> Same.....	102.14	do.....	10.00
Pasquale Fazio.....	do.....	<i>Item 15</i> Same.....	102.14	do.....	10.00
Angelina Fazio.....	do.....	<i>Item 16</i> Same.....	102.14	do.....	10.00
Maria Fazio.....	do.....	<i>Item 17</i> Same.....	102.14	do.....	10.00
		<i>Item 18</i>			
Antonio Perazzo.....	do.....	Estate of Flora Perazzo, deceased, in the District Court of Iowa in and for Webster County, Iowa, No. 13593.	4,413.42	Farmers Loan & Trust Co., Fourth and Nebraska Sts., Sioux City, Iowa.	73.00
		<i>Item 19</i>			
Julia Vallin.....	Norway.....	Trust under the will of Anton Olson, deceased, in District Court of Hennepin County, Fourth Judicial District, State of Minnesota.	(9)	First National Bank & Trust Co. of Minneapolis, Trustee, Minneapolis, Minn.	66.00

¹ Income from trust under the will of Mary Longworth Stettinius Perkins, deceased.

² \$100 annually for life.

[F. R. Doc. 47-9379; Filed, Oct. 17, 1947; 8:51 a. m.]

[Vesting Order CE 411]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN WISCONSIN, MICHIGAN, MINNESOTA, IOWA, AND MISSOURI COURTS

Under the authority of the Trading with the Enemy Act, as amended, Execu-

tive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory

identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court of administrative action or proceeding identified in Column 3 of said Exhibit A opposite such

NOTICES

persons's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property.

5. That, in taking such measures in each of such actions or proceedings, costs

and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on October 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
		<i>Item 1</i>			
Alice Neyma-Galletti, deceased.	Italy.....	Estate of Agnes W. Niemen, deceased, Probate Court, Milwaukee County, Wis. Case 101067.	\$8,356.35	William L. O'Neill, Public Administrator for Milwaukee County, 919 Empiro Bldg., 710 North Plankinton Ave., Milwaukee 3, Wis.	\$185.00
		<i>Item 2</i>			
Jakub Krizek.....	Austria.....	Estate of Joseph Krizek, also known as Joe Cross, deceased, Probate Court, Saginaw County, Saginaw, Mich.	500.00	Claude J. Krupa, Executor, care of County Register County Bldg., Saginaw, Mich.	19.00
Mrs. Marie Pulankova.....	do.....	Same.....	500.00	do.....	19.00
Stephen Velebl.....	Czechoslovakia.....	Same.....	500.00	do.....	19.00
Frank Foud.....	do.....	Same.....	500.00	do.....	19.00
Mary Foud.....	do.....	Same.....	500.00	do.....	19.00
		<i>Item 7</i>			
Jalsumina Gregori Sargentl.	Italy.....	Estate of Argante Gregori, deceased, Probate Court, Hennepin County, State of Minnesota.	4,749.37	County Treasurer of Hennepin County, Minneapolis, Minn.	302.00
Esterline Gregori (married name unknown).	do.....	Same.....	4,749.37	do.....	302.00
		<i>Item 9</i>			
Angelina Principe.....	do.....	Estate of Alfredo Principe, also known as Ralph Iaconetti, deceased, County Court of Racine County, Wis.	4,024.08	Farmers and Merchants Bank, Racine, Wis., for the account of Angelina, John, Carmella Principe.	14.00
John Principe.....	do.....	Same.....	3,974.36	do.....	14.00
Carmella Principe.....	do.....	Same.....	3,974.36	do.....	14.00
		<i>Item 12</i>			
Desoline Ferroni.....	do.....	Estate of Bimbo Cervi, deceased, District Court of Polk County, Iowa, Probate No. 29142.	206.66	Clerk of the District Court of Polk County, Des Moines, Iowa.	30.00
Children of Domonica Ferrari.	do.....	Same.....	\$206.66	do.....	30.00
Children of Maria Cervi.	do.....	Same.....	206.66	do.....	30.00
		<i>Item 15</i>			
Antonio Verrilli.....	do.....	Estate of Junio Verrilli, deceased, Probate Court, City of St. Louis, Mo., No. 99530.	663.36	Mr. G. V. Soro, Italian Consul, 722 Chestnut St., St. Louis, Mo.	49.00
Leonardo Verrilli.....	do.....	Same.....	663.36	do.....	49.00
Igino Scinto.....	do.....	Same.....	221.12	do.....	16.00
Maria Scinto.....	do.....	Same.....	221.12	do.....	16.00
Commusina Scinto.....	do.....	Same.....	221.12	do.....	16.00
		<i>Item 20</i>			
Counstess Andreina Pace.....	do.....	Estate of Constance Hodgins Clapp, deceased, Probate Court, Hennepin County, State of Minn.	507.65	First Trust Co., of St. Paul, First National Bank Bldg., St. Paul, Minn.	57.00
Signora Adelaide Pisani.....	do.....	Same.....	507.65	do.....	57.00
		<i>Item 22</i>			
Vincenzo DeRita.....	do.....	Estate of Frank Doredo, deceased, Probate Court, St. Louis County, Mo., No. 84,746.	66.48	Thomas R. Madden, Trustee, 722 Chestnut St., St. Louis, Mo.	7.00
Angela DeRita.....	do.....	Same.....	66.48	do.....	7.00

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Lungi DeRita	Italy	Item 24 Estate of Frank Doredo, deceased, Probate Court, St. Louis County, Mo., No. 84,745.	\$23.48	Thomas R. Meiden, Trustee, 722 Chestnut St., St. Louis, Mo.	\$7.00
Gabriella DeRita	do.	Item 25 Same	63.48	do.	7.00
Mariantonia DeRita	do.	Item 26 Same	231.89	do.	31.00
Lungi DeAngelis	do.	Item 27 Same	231.89	do.	31.00
Elmerinda DeAngelis	do.	Item 28 Same	231.89	do.	31.00
Antonietta Chello	do.	Item 29 Same	82.07	do.	8.00
Rosina Chello	do.	Item 29 Same	82.07	do.	8.00
Maria Antonellis	do.	Item 31 Same	231.89	do.	31.00
Antonia Antonellis	do.	Item 32 Same	231.89	do.	31.00
Pietro Antonellis	do.	Item 33 Same	231.89	do.	31.00
Filomena Antonellis	do.	Item 34 Same	231.89	do.	31.00
Filomena Vessella	do.	Item 35 Same	231.89	do.	31.00
Anna Maria Vessella	do.	Item 36 Same	231.89	do.	31.00
Maria Antonia Concetta Vessella	do.	Item 37 Same	231.89	do.	31.00
Giuseppe Vessella	do.	Item 38 Same	231.89	do.	31.00
Cecilia Iadevaia DeRita	do.	Item 39 Same	103.19	do.	17.00

[F. R. Doc. 47-9380; Filed, Oct. 17, 1947; 8:15 a. m.]

[Vesting Order 9733]

J. P. BEMBERG A. G. ET AL.

In re: Interest of J. P. Bemberg A. G., Vereinigte Glanzstoff Fabriken A. G., Kupferkunstzeide-Syndikat, and I. G. Farbenindustrie A. G. in certain agreements with American Bemberg Corp., a Delaware corporation; and interest of Vereinigte Glanzstoff Fabriken A. G. in certain agreements with American Glanzstoff Corp., a Delaware corporation and its successor, North American Rayon Corp., a Delaware corporation.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Vereinigte Glanzstoff Fabriken A. G., J. P. Bemberg A. G., Kupferkunstzeide-Syndikat and I. G. Farbenindustrie A. G. are corporations organized under the laws of and having their principal places of business in Germany and are nationals of a designated enemy country (Germany),

2. That the property described in subparagraph 5-a hereof is property of Vereinigte Glanzstoff Fabriken A. G., J. P. Bemberg A. G. and Kupferkunstzeide-Syndikat;

3. That the property described in subparagraph 5-b hereof is property of J. P. Bemberg A. G. and I. G. Farbenindustrie A. G.,

4. That the property described in subparagraph 5-c hereof is property of Vereinigte Glanzstoff Fabriken A. G.,

5. That the following property, to the extent not heretofore vested by Vesting Order 9632: Property identified in Exhibit A, attached hereto and by reference made a part hereof,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of or owing to, or which is evidence of ownership or control by, and is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

6. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 28, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

a. All interests and rights (including all royalties and other moneys payable or held with respect to such interests and rights and all damages for breach of the agreement or the agreements and each thereof hereinafter described together with the right to sue therefor) created in Vereinigte Glanzstoff Fabriken A. G., J. P. Bemberg A. G., and Kupferkunstzeide-Syndikat, or any of them by virtue of: (1) an agreement in the form of a letter dated July 16, 1925 from said Vereinigte Glanzstoff Fabriken A. G. and J. P. Bemberg A. G. to American Bemberg Corporation, a Delaware corporation and accepted by said American Bemberg Corporation, which agreement relates, among other things, to the succeeding agreements; (2) an agreement dated July 16, 1925 by and between J. P. Bemberg A. G. and American Bemberg Corporation, a Delaware corporation, which agreement relates, among other

things, to an assignment of patents and patent applications (including, among others, U. S. Patent Application S. N. 17,811, now Patent No. 1,682,797) licenses, experiences, formulae, etc., relative to the making of artificial silk by the copper oxide ammonia process; (3) an agreement dated July 16, 1925 by and between J. P. Bemberg A. G. and American Bemberg Corporation, a Delaware corporation, which agreement relates, among other things, to the purchase of artificial silk by the American Bemberg Corporation, a Delaware corporation; (4) an agreement dated July 16, 1925 by and between Vereinigte Glanzstoff Fabriken A. G., J. P. Bemberg A. G., and American Bemberg Corporation, a Delaware corporation, which agreement relates, among other things, to a guarantee of dividends on certain stock issued by American Bemberg Corporation; and (5) an agreement dated July 16, 1925 by and between J. P. Bemberg A. G., Bank of Manhattan Company, a corporation, and American Bemberg Corporation, a Delaware corporation, which agreement relates, among other things, to a deposit of "Bemberg Formulae" together with all modifications of the foregoing as one entire contract or of any thereof and all supplements to the foregoing as one entire contract or to any thereof, including, but without limitation: (1) memoranda dated April 5, 1935 on the letter head of American Bemberg Corporation from Kurt Frowein acting on behalf of J. P. Bemberg A. G. and Kupferkunstzeide-Syndikat to American Bemberg Corporation; (2) letter dated May 1, 1935 from American Bemberg Corporation to J. P. Bemberg A. G., and (3) letter dated May 22, 1935 from J. P. Bemberg A. G. to American Bemberg Corporation.

b. All interests and rights (including all royalties and other moneys payable or held with respect to such interests and rights and all damages for breach of the agreement or agreements and each thereof hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie A. G. by virtue of: (1) an agreement dated April, 1935 by and between I. G. Farbenindustrie A. G., American Bemberg Corporation, a Delaware corporation and J. P. Bemberg A. G., which agreement relates, among other things, to an exchange of patentable and nonpatentable inventions and experiences between I. G. Farbenindustrie A. G. and American Bemberg Corporation; and (2) a previous agreement, as against American Bemberg Corporation, a Delaware corporation, if any, dated January 1, 1932 by and between J. P. Bemberg A. G. and I. G. Farbenindustrie A. G. which agreement relates, among other things, to an exchange of patentable and nonpatentable inventions and experiences; together with all modifications thereof or of either thereof and all supplements thereto or to either thereof, if any.

c. All interests and rights (including all royalties and other moneys payable or held with respect to such interests and rights and all damages for breach of the agreement or agreements and each thereof hereinafter described, together with the right to sue therefor) created in Vereinigte Glanzstoff Fabriken A. G. by virtue of: (1) an agreement in the form of a letter of April 29, 1927 from said Vereinigte Glanzstoff Fabriken A. G. to American Glanzstoff Corporation, a Delaware corporation and accepted by said American Glanzstoff Corporation, which agreement relates, among other things, to the succeeding agreements; (2) an agreement dated April 29, 1927 by and between Vereinigte Glanzstoff Fabriken A. G. and American Glanzstoff Corporation, a Delaware corporation, which agreement relates, among other things, to an assignment of patents and patent applications (including, among others, U. S. Patent No. 1,471,513) licenses, processes, formulae, etc. relative to the making of artificial silk by the viscose process; (3) an agreement dated April 29, 1927 by and between Vereinigte Glanzstoff Fabriken A. G.

and American Glanzstoff Corporation, a Delaware corporation, which agreement relates, among other things, to a guarantee of dividends on certain stock issued by American Glanzstoff Corporation; and (4) an agreement dated May 27, 1927 by and between Vereinigte Glanzstoff Fabriken A. G., Interstate Trust Company, a New York corporation, and American Glanzstoff Corporation, a Delaware corporation, which agreement relates, among other things, to a deposit of "Glanzstoff Formulae" together with all modifications of the foregoing as one entire contract or of any thereof and all supplements to the foregoing as one entire contract or to any thereof including, but without limitation: (1) an agreement dated May 30, 1947 by and between Vereinigte Glanzstoff Fabriken A. G. and American Glanzstoff Corporation, a Delaware corporation (as clarified by correspondence between said parties in September and October, 1933) which agreement relates, among other things, to the appointment of American Glanzstoff Corporation as agent for all Vereinigte Glanzstoff Fabriken A. G. products; (2) an agreement dated February 5, 1934 by and between Vereinigte Glanzstoff Fabriken A. G. and American Glanzstoff Corporation, a Delaware corporation, or its successor, North American Rayon Corporation, a Delaware corporation, being an amendment of the above described (No. 2) agreement dated April 29, 1927, which amendment relates, among other things, to the amount to be paid for an assignment of patents acquired from third parties and giving the consent of Vereinigte Glanzstoff Fabriken A. G. to that certain agreement of February 5, 1934 by and between North American Rayon Corporation, a Delaware corporation, and American Enka Corporation, a Delaware corporation, which latter agreement is the predecessor of that certain agreement next described; and (3) an agreement dated July 1, 1938 by and between North American Rayon Corporation, a Delaware corporation, and American Enka Corporation, a Delaware corporation, which agreement relates, among other things, to an exchange of rights and licenses in certain patents.

[F. R. Doc. 47-9376; Filed, Oct. 17, 1947; 8:50 a. m.]

[Vesting Order 9917]

HERMANN C. SCHNEIDER

In re: Stock owned by Hermann C. Schneider, also known as Herman C. Schneider. F-28-22566-E-1, F-28-22566-D-1, F-28-22566-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hermann C. Schneider, also known as Herman C. Schneider, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Forty (40) shares of \$5.00 par value common capital stock of Atlas Corporation, 33 Pine Street, New York 5, New York, a corporation organized under the laws of the State of Delaware, evidenced by Certificate Numbered CO-26165, and registered in the name of Herman C. Schneider, together with all declared and unpaid dividends thereon,

b. All rights and interests in, to and under that certain Option Warrant to Purchase Eight (8) shares of common

capital stock of Atlas Corporation, 33 Pine Street, New York 5, New York, a corporation organized under the laws of the State of Delaware, evidenced by Certificate Numbered 921, and registered in the name of Herman C. Schneider,

c. Twenty (20) shares of common capital stock of Schulte Retail Stores of New York, now known as D. A. Schulte, Inc., 386 Broadway, New York, New York, a corporation organized under the laws of the State of New York, evidenced by Certificate Numbered 0106604, and registered in the name of Herman C. Schneider, together with all declared and unpaid dividends thereon, and

d. That certain debt or other obligation owing to Hermann C. Schneider, also known as Herman C. Schneider, by Irving Savings Bank, 115 Chambers Street, New York, New York, arising out of a Savings Account, account number 168,318, entitled Herman C. Schneider, maintained at the aforesaid bank, and any and all rights to demand, enforce, and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 1, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9377; Filed, Oct. 17, 1947; 8:51 a. m.]

[Vesting Order CE 412]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN MINNESOTA, OHIO, MICHIGAN AND ILLINOIS COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on October 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Teresa Pelosi, Veronica Pelosi, Maria Pelosi, and Petro Pelosi.	Italy.....	<i>Item 1</i> Estate of Angela Pelosi, deceased, Probate Court, St. Louis County, State of Minnesota.	\$175.00
Frank Perman.....	do.....	<i>Item 2</i> Estate of Ljudevit Perman, also known as Vico Perman, deceased, Probate Court, Mahoning County, Youngstown, Ohio, Case No. 31973.	15.00
Louie Perman.....	do.....	<i>Item 3</i> Same.....	15.00
Miro Perman.....	do.....	<i>Item 4</i> Same.....	15.00
Manasse Bazigian.....	Rumania.....	<i>Item 5</i> Estate of Sam Bazigian, deceased, Probate Court, Wayne County, State of Michigan.	42.00
Caroline Jonkar.....	Yugoslavia.....	<i>Item 6</i> Estate of Jera (Gertrude) Ticar, deceased, Probate Court, LaSalle County, State of Illinois.	17.00
Antonia Ticar.....	do.....	<i>Item 7</i> Same.....	17.00
Josephine Ticar.....	do.....	<i>Item 8</i> Same.....	17.00
Antonia Laushe or her heirs.....	Italy.....	<i>Item 9</i> Estate of Johann Laushe, deceased, Probate Court, Cuyahoga County, Ohio.	25.00

[F. R. Doc. 47-9381; Filed, Oct. 17, 1947; 8:51 a. m.]

GASTON FLEISCHER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant; Claim No., and Property

Gaston Fleischer, New York, N. Y., 6973; Property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patents Nos. Reissue 21,828; 1,813,731; 1,819,237; 1,838,096; 2,051,553; 2,092,446; 2,092,447; 2,136,971; 2,169,523; 2,177,428; 2,180,671; 2,197,301; and 2,203,296.

Executed at Washington, D. C., on October 14, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-9382; Filed, Oct. 17, 1947; 8:52 a. m.]

LESLIE CO.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant; Claim No; and Property

Leslie Co., Lyndhurst, N. J., A-234; Property described in Vesting Order No. 201 (8 F. R. 625, January 10, 1943), relating to United States Letters Patent No. 1,614,833.

Executed at Washington, D. C., on October 14, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9383; Filed Oct. 17, 1947; 8:52 a. m.]

[Vesting Order 9333]

OTTO SCHULZ

In re: Real property, property insurance policies and a claim owned by Otto Schulz.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9728, and pursuant to law, after investigation, it is hereby found:

1. That Otto Schulz, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Real property situated in the City of Chicago, County of Cook, State of Illinois, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Otto Schulz, in and to the following insurance policies:

Fire Insurance Policy No. 41924, issued by Standard Fire Insurance Company

of New Jersey, Trenton, New Jersey in the amount of \$6,000.00, which policy expires March 25, 1950, and insures the property described as Parcel 2 of Exhibit A hereof, and

Residents Liability Policy No. 8L38898, issued by The Aetna Casualty & Surety Company, Hartford, Connecticut, expiring March 5, 1948, insuring the property described as Parcel 2 of Exhibit A hereof, and

c. That certain debt or other obligation owing to Otto Schulz by Herman Maasch, 2909 Arthur Avenue, Chicago, Illinois, and Arthur Junghaus, 2114 Lincoln Avenue, Chicago, Illinois, arising out of rents collected on the property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be

treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and,

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b and 2-c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

PARCEL NO. 1

(a) The North 35 feet of Lot Eighteen (18) in Block Five (5) in Grand Addition to Edison Park in the North East Quarter of Section Thirty Six (36), Township Forty One (41) North, Range Twelve (12), East of the Third P. M.

(b) That strip of land of four and one tenth ($4\frac{1}{10}$) feet wide on the front line of Oriole Avenue and three and thirty three one hundredths ($3\frac{33}{100}$) feet wide on the alley line adjoining and situated north of the North thirty five (35) feet of Lot Eighteen (18) in Block Five (5) in Grand Addition to Edison Park in Section 36, Township Forty One North, Range Twelve, East of the Third Principal Meridian.

PARCEL NO. 2

The North Half of Lot Ten (10) in Block Twenty (20) in Johnston's Subdivision of the East Half of the South East Quarter ($SE\frac{1}{4}$) of Section Six (6), Township Thirty-nine (39) North, Range Fourteen (14), East of the Third Principal Meridian, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging.

[F R. Doc. 47-9378; Filed, Oct. 17, 1947;
8:51 a. m.]